S/INF/65

United Nations

Resolutions and Decisions of the Security Council

1 August 2009 – 31 July 2010

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NOTE

The present volume of *Resolutions and Decisions of the Security Council* contains the resolutions adopted and the decisions taken by the Council on substantive questions during the period from 1 August 2009 to 31 July 2010, as well as decisions on some of the more important procedural matters. The resolutions and decisions are set out in parts I and II, under general headings indicating the questions under consideration. In each part, the questions are arranged according to the date on which they were first taken up by the Council, and under each question the resolutions and decisions appear in chronological order.

The resolutions are numbered in the order of their adoption. Each resolution is followed by the result of the vote. Decisions are usually taken without a vote.

S/INF/65

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Contents

Page

Membership of the Security Council in 2009 and 2010 vii

Resolutions adopted and decisions taken by the Security Council from 1 August 2009 to 31 July 2010 1

Part I. ***Questions considered by the Security Council under its responsibility for the maintenance of international peace and security***

Items relating to the situation in the Middle East:

A. The situation in the Middle East, including the Palestinian question 1

B. The situation in the Middle East 5

The situation in Cyprus 10

The situation concerning Western Sahara 15

The situation in Timor-Leste 18

United Nations peacekeeping operations 22

The situation between Iraq and Kuwait 28

The situation in Liberia 29

The situation in Somalia 36

Items relating to the situation in the former Yugoslavia:

A. The situation in Bosnia and Herzegovina 52

B. Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999) 58

C. International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 59

International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994 64

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994 69

The question concerning Haiti 71

The situation in Burundi 80

The situation in Afghanistan 85

The situation in Sierra Leone 101

Relations between Cameroon and Nigeria 104

The situation in the Great Lakes region 104

The situation concerning the Democratic Republic of the Congo 104

The situation in the Central African Republic 126

Page

Children and armed conflict 127

The situation in Guinea-Bissau 135

Protection of civilians in armed conflict 139

Women and peace and security 146

Briefing by the President of the International Court of Justice 158

Briefing by the Chairman-in-Office of the Organization for Security and Cooperation in Europe 159

Meeting of the Security Council with the troop- and police-contributing countries pursuant to resolution 1353 (2001), annex II, sections A and B:

A. United Nations Peacekeeping Force in Cyprus 159

B. United Nations Disengagement Observer Force 160

C. United Nations Interim Force in Lebanon 160

D. United Nations Mission for the Referendum in Western Sahara 161

E. United Nations Organization Mission in the Democratic Republic of the Congo 161

F. United Nations Mission in Liberia 162

G. United Nations Operation in Côte d'Ivoire 162

H. United Nations Stabilization Mission in Haiti 163

I. United Nations Mission in the Sudan 163

J. United Nations Integrated Mission in Timor-Leste 163

K. African Union-United Nations Hybrid Operation in Darfur 164

L. United Nations Mission in the Central African Republic and Chad 164

Threats to international peace and security caused by terrorist acts 165

Briefings by Chairmen of subsidiary bodies of the Security Council 177

The situation in Côte d'Ivoire 177

Security Council mission 195

The promotion and strengthening of the rule of law in the maintenance of international peace and security 196

Central African region 198

Reports of the Secretary-General on the Sudan 201

Post-conflict peacebuilding 214

The situation concerning Iraq 218

Threats to international peace and security 226

Non-proliferation 228

Peace consolidation in West Africa 243

Non-proliferation/Democratic People's Republic of Korea 246

Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council 247

Page

Maintenance of international peace and security:

A. Nuclear non-proliferation and nuclear disarmament 252

B. Intercultural dialogue for peace and security 257

C. Optimizing the use of preventive diplomacy tools: prospects and challenges in Africa 257

The situation in Chad, the Central African Republic and the subregion 260

Peace and security in Africa:

A. General issues 268

B. Djibouti and Eritrea 270

C. Drug trafficking as a threat to international security 275

Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security 277

Request of Pakistan for the establishment of a commission of inquiry in connection with the assassination of the former Prime Minister, Mohtarma Benazir Bhutto 279

Letter dated 22 September 2009 from the Permanent Representative of Brazil to the United Nations addressed to the President of the Security Council 279

Letter dated 4 June 2010 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council and other relevant letters 279

Part II. Other matters considered by the Security Council

Security Council documentation and working methods and procedure:

A. Implementation of the note by the President of the Security Council (S/2006/507) 281

B. General matters 281

Consideration of the draft report of the Security Council to the General Assembly 296

International Court of Justice:

A. Date of election to fill a vacancy in the International Court of Justice 296

B. Election of a member of the International Court of Justice 297

Items included in the agenda of the Security Council for the first time between 1 August 2009 and 31 July 2010 299

Checklist of resolutions adopted by the Security Council from 1 August 2009 to 31 July 2010 301

Checklist of statements made by the President of the Security Council from 1 August 2009 to 31 July 2010 303

Membership of the Security Council in 2009 and 2010

In 2009 and 2010, the membership of the Security Council was as follows:

2009	**2010**
Austria	Austria
Burkina Faso	Bosnia and Herzegovina
China	Brazil
Costa Rica	China
Croatia	France
France	Gabon
Japan	Japan
Libyan Arab Jamahiriya	Lebanon
Mexico	Mexico
Russian Federation	Nigeria
Turkey	Russian Federation
Uganda	Turkey
United Kingdom of Great Britain and Northern Ireland	Uganda
United States of America	United Kingdom of Great Britain and Northern Ireland
Viet Nam	United States of America

Resolutions adopted and decisions taken by the Security Council from 1 August 2009 to 31 July 2010

Part I. Questions considered by the Security Council under its responsibility for the maintenance of international peace and security

ITEMS RELATING TO THE SITUATION IN THE MIDDLE EAST

A. The situation in the Middle East, including the Palestinian question[1]

Decisions

At its 6182nd meeting, on 19 August 2009, the Security Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Oscar Fernandez-Taranco, Assistant Secretary-General for Political Affairs.

At its 6190th meeting, on 17 September 2009, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Robert H. Serry, United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General.

At its 6201st meeting, on 14 October 2009, the Council decided to invite the representatives of Australia, Bangladesh, Brazil, Cuba, Ecuador, Egypt, Iceland, Indonesia, Iran (Islamic Republic of), Israel, Jordan, Liechtenstein, Malaysia, Maldives, Morocco, Nicaragua, Norway, Pakistan, South Africa, Sri Lanka, the Sudan, Sweden, Switzerland, the Syrian Arab Republic, the United Republic of Tanzania and Venezuela (Bolivarian Republic of) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, the Council also decided to extend an invitation to Mr. Riad Al-Malki, Minister for Foreign Affairs of the Palestinian National Authority, in response to the request dated 12 October 2009 from the Permanent Observer of Palestine to the United Nations addressed to the President of the Council,[2] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

At the same meeting, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Yahya Mahmassani, Permanent Observer for the League of Arab States to the United Nations, in response to the request dated 12 October 2009 from the Permanent Representative of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Council.

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[1] Resolutions or decisions on this question were first adopted by the Security Council in 2000.

[2] Document S/2009/531, incorporated in the record of the 6201st meeting.

At the same meeting, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Paul Badji, Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in response to his request dated 8 October 2009.

At its 6223rd meeting, on 24 November 2009, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Haile Menkerios, Assistant Secretary-General for Political Affairs.

At its 6248th meeting, on 17 December 2009, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Robert H. Serry, United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General.

At its 6265th meeting, on 27 January 2010, the Council decided to invite the representatives of Algeria, Argentina, Cuba, Egypt, Indonesia, Iran (Islamic Republic of), Israel, Jordan, Malaysia, Morocco, Nicaragua, Norway, Oman, Pakistan, Qatar, Saudi Arabia, South Africa, Sri Lanka, the Syrian Arab Republic, Tunisia, the United Arab Emirates, Venezuela (Bolivarian Republic of) and Viet Nam to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to the request dated 22 January 2010 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine addressed to the President of the Council,[3] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Oscar Fernandez-Taranco, Assistant Secretary-General for Political Affairs.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Pedro Serrano, Acting Head of the Delegation of the European Union to the United Nations.

At the same meeting, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Paul Badji, Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in response to his request dated 22 January 2010.

At the same meeting, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Yahya Mahmassani, Permanent Observer for the League of Arab States to the United Nations, in response to the request dated 26 January 2010 from the Permanent Representative of Lebanon to the United Nations addressed to the President of the Council.

At its 6273rd meeting, on 18 February 2010, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

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[3] Document S/2010/44, incorporated in the record of the 6265th meeting.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

At its 6292nd meeting, on 24 March 2010, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At its 6298th meeting, on 14 April 2010, the Council decided to invite the representatives of Botswana, Cuba, Egypt, Iran (Islamic Republic of), Israel, Jordan, Kuwait, Malaysia, Morocco, Nicaragua, Norway, Pakistan, South Africa, Sri Lanka, the Syrian Arab Republic, Tunisia and Venezuela (Bolivarian Republic of) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 8 April 2010 to the President of the Council,[4] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

At the same meeting, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Zahir Tanin, Vice-Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in response to his request dated 12 April 2010.

At the same meeting, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Pedro Serrano, Acting Head of the Delegation of the European Union to the United Nations, in response to his request dated 1 April 2010.

At its 6315th meeting, on 18 May 2010, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Robert H. Serry, United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General.

At its 6325th meeting, on 31 May 2010, the Council decided to invite the representative of Israel to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in the Middle East, including the Palestinian question

> "Letter dated 31 May 2010 from the Permanent Representative of Turkey to the United Nations addressed to the President of the Security Council (S/2010/266)
>
> "Letter dated 31 May 2010 from the Permanent Representative of Lebanon to the United Nations addressed to the President of the Security Council (S/2010/267)".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 31 May 2010 to the President of the Council,[5] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

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[4] Document S/2010/182, incorporated in the record of the 6298th meeting.

[5] Document S/2010/268, incorporated in the record of the 6325th meeting.

At the same meeting, in accordance with the understanding reached in its pr consultations, the Council further decided to extend an invitation, under rule 39 of its provisio rules of procedure, to Mr. Oscar Fernandez-Taranco, Assistant Secretary-General for Politi Affairs.

At its 6326th meeting, on 1 June 2010, the Council considered the item entitled:

"The situation in the Middle East, including the Palestinian question

> "Letter dated 31 May 2010 from the Permanent Representative of Turkey to t United Nations addressed to the President of the Security Council (S/2010/266)
>
> "Letter dated 31 May 2010 from the Permanent Representative of Lebanon to t United Nations addressed to the President of the Security Council (S/2010/267)".

At the same meeting, pursuant to the decision taken at the 6325th meeting, the Coun extended an invitation to the representative of Israel to participate, without vote, in the discussi of the item.

At the same meeting, pursuant to the decision taken at the 6325th meeting, the Coun extended an invitation to the Permanent Observer of Palestine to the United Nations in accordan with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, following consultations among members of the Security Council, t President made the following statement on behalf of the Council:[6]

> "The Security Council deeply regrets the loss of life and injuries resulting from the u of force during the Israeli military operation in international waters against the conv sailing to Gaza. The Council, in this context, condemns those acts which resulted in the lo of at least ten civilian lives and left many wounded, and expresses its condolences to t families.
>
> "The Council requests the immediate release of the ships as well as the civilians he by Israel. The Council urges Israel to permit full consular access, to allow the countr concerned to retrieve their deceased and wounded immediately and to ensure the delivery humanitarian assistance from the convoy to its destination.
>
> "The Council takes note of the statement of the Secretary-General on the need to ha a full investigation into the matter and it calls for a prompt, impartial, credible a transparent investigation conforming to international standards.
>
> "The Council stresses that the situation in Gaza is not sustainable. The Coun re-emphasizes the importance of the full implementation of resolutions 1850 (2008) a 1860 (2009). In that context, it reiterates its grave concern at the humanitarian situation Gaza and stresses the need for a sustained and regular flow of goods and people to Gaza well as the unimpeded provision and distribution of humanitarian assistance througho Gaza.
>
> "The Council underscores that the only viable solution to the Israeli-Palestini conflict is an agreement negotiated between the parties and re-emphasizes that only two-State solution, with an independent and viable Palestinian State living side by side peace and security with Israel and its other neighbours, could bring peace to the region.
>
> "The Council expresses support for the proximity talks and voices concern that th incident took place while the proximity talks are under way and urges the parties to act wi restraint, avoiding any unilateral and provocative actions, and all international partners promote an atmosphere of cooperation between the parties and throughout the region."

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[6] S/PRST/2010/9.

At its 6340th meeting, on 15 June 2010, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Robert H. Serry, United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General.

At its 6363rd meeting, on 21 July 2010, the Council decided to invite the representatives of Bangladesh, Cuba, Ecuador, Egypt, Iceland, Iran (Islamic Republic of), Israel, Jordan, Malaysia, Nicaragua, Norway, Pakistan, the Philippines, South Africa, Sri Lanka, Switzerland, the Syrian Arab Republic, Tajikistan and Venezuela (Bolivarian Republic of) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 20 July 2010 to the President of the Council,[7] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

At the same meeting, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Paul Badji, Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in response to his request dated 16 July 2010.

At the same meeting, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Pedro Serrano, Acting Head of the Delegation of the European Union to the United Nations, in response to his request dated 20 July 2010.

B. The situation in the Middle East[8]

Decision

At its 6183rd meeting, on 27 August 2009, the Security Council decided to invite the representatives of Belgium, Israel, Italy, Lebanon and Spain to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in the Middle East

> "Letter dated 6 August 2009 from the Secretary-General addressed to the President of the Security Council (S/2009/407)".

Resolution 1884 (2009)
of 27 August 2009

The Security Council,

Recalling all its previous resolutions on Lebanon, in particular resolutions 425 (1978) and 426 (1978) of 19 March 1978, 1559 (2004) of 2 September 2004, 1680 (2006) of 17 May 2006, 1701 (2006) of 11 August 2006, 1773 (2007) of 24 August 2007 and 1832 (2008) of 27 August 2008, as well as the statements by its President on the situation in Lebanon,

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[7] Document S/2010/391, incorporated in the record of the 6363rd meeting.

[8] Resolutions or decisions on this question were first adopted by the Security Council in 1967.

Responding to the request of the Government of Lebanon to extend the mandate of the United Nations Interim Force in Lebanon for a new period of one year, without amendment, presented in a letter dated 4 July 2009 from the Minister for Foreign Affairs of Lebanon to the Secretary-General, and welcoming the letter dated 6 August 2009 from the Secretary-General to the President of the Security Council recommending this extension,[9]

Reaffirming its commitment to the full implementation of all provisions of resolution 1701 (2006), and aware of its responsibilities to help to secure a permanent ceasefire and a long-term solution as envisioned in the resolution,

Calling upon all parties concerned to strengthen their efforts to implement all provisions of resolution 1701 (2006),

Expressing deep concern at all violations in connection with resolution 1701 (2006), in particular the latest serious violations highlighted in the Secretary-General's letter dated 6 August 2009, emphasizing the importance of the establishment between the Blue Line and the Litani River of an area free of any armed personnel, assets and weapons other than those of the Government of Lebanon and the Force, and, to that end, encouraging further coordination between the Force and the Lebanese Armed Forces,

Calling upon all parties concerned to respect the Blue Line in its entirety, including through Ghajar, and encouraging the parties to coordinate further with the Force to visibly mark the Blue Line,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel,[10]

Commending the active role and dedication of the personnel of the Force, notably its Commander, expressing its strong appreciation to Member States that contribute to the Force, and underlining the necessity that the Force have at its disposal all means and equipment necessary to carry out its mandate,

Recalling the request of the Government of Lebanon to deploy an international force to assist it to exercise its authority throughout the territory, and reaffirming the authority of the Force to take all necessary action, in areas of operations of its forces and as it deems within its capabilities, to ensure that its area of operations is not utilized for hostile activities of any kind and to resist attempts by forceful means to prevent it from discharging its mandate,

Welcoming the efforts of the Secretary-General to keep all peacekeeping operations, including the Force, under close review and stressing the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments,

Calling upon Member States to assist the Lebanese Armed Forces as needed to enable them to perform their duties, in line with resolution 1701 (2006),

Determining that the situation in Lebanon continues to constitute a threat to international peace and security,

1. *Decides* to extend the present mandate of the United Nations Interim Force in Lebanon until 31 August 2010;

2. *Commends* the positive role of the Force, whose deployment together with the Lebanese Armed Forces has helped to establish a new strategic environment in southern Lebanon, welcomes the expansion of coordinated activities between the Force and the Lebanese Armed Forces, and encourages further enhancement of this cooperation;

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[9] S/2009/407.

[10] United Nations, *Treaty Series*, vol. 2051, No. 35457.

3. *Strongly calls upon* all parties concerned to respect the cessation of hostilities and the Blue Line in its entirety, to cooperate fully with the United Nations and the Force and to abide scrupulously by their obligation to respect the safety of the Force and other United Nations personnel, including by avoiding any course of action which endangers United Nations personnel and by ensuring that the Force is accorded full freedom of movement within its area of operations;

4. *Urges* all parties to cooperate fully with the Security Council and the Secretary-General to achieve a permanent ceasefire and a long-term solution as envisioned in resolution 1701 (2006), and emphasizes the need for greater progress in this regard;

5. *Welcomes* the efforts being undertaken by the Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Council informed, and urges troop-contributing countries to take preventive and disciplinary action to ensure that such acts are properly investigated and punished in cases involving their personnel;

6. *Requests* the Secretary-General to continue to report to the Council on the implementation of resolution 1701 (2006) every four months, or at any time as he deems appropriate;

7. *Welcomes*, in this regard, receiving as soon as possible the conclusions of the review of the operational capacity of the Force, including its force structure, assets and requirements, that will be conducted during the coming months, as referred to in the Secretary-General's letter dated 6 August 2009,[9] in an effort to ensure, in accordance with peacekeeping good practice, that the assets and resources of the mission are configured most appropriately to fulfil its mandated tasks;

8. *Stresses* the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East, based on all its relevant resolutions, including resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973 and 1515 (2003) of 19 November 2003;

9. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6183rd meeting.

Decisions

On 9 December 2009, the President of the Security Council addressed the following letter to the Secretary-General:[11]

> "I have the honour to inform you that your letter dated 7 December 2009 concerning your intention to designate Major General Alberto Asarta Cuevas, of Spain, as Head of Mission and Force Commander of the United Nations Interim Force in Lebanon[12] has been brought to the attention of the members of the Security Council, who have taken note thereof."

At its 6241st meeting, on 16 December 2009, the Council considered the item entitled:

"The situation in the Middle East

> "Report of the Secretary-General on the United Nations Disengagement Observer Force (S/2009/597)".

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[11] S/2009/629.

[12] S/2009/628.

Resolution 1899 (2009)
of 16 December 2009

The Security Council,

Having considered the report of the Secretary-General of 18 November 2009 on the United Nations Disengagement Observer Force,[13] and reaffirming its resolution 1308 (2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

2. *Welcomes* the efforts being undertaken by the United Nations Disengagement Observer Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take preventive and disciplinary action to ensure that such acts are properly investigated and punished in cases involving their personnel;

3. *Decides* to renew the mandate of the Force for a period of six months, that is, until 30 June 2010;

4. *Requests* the Secretary-General to submit, at the end of this period, a report on developments in the situation and the measures taken to implement resolution 338 (1973).

Adopted unanimously at the 6241st meeting.

Decisions

At the 6241st meeting also, following the adoption of resolution 1899 (2009), the President of the Security Council made the following statement on behalf of the Council:[14]

> "In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:
>
> > 'As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force[13] states in paragraph 11: "... the situation in the Middle East is tense and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached". That statement of the Secretary-General reflects the view of the Security Council.' "

On 1 February 2010, the President of the Security Council addressed the following letter to the Secretary-General:[15]

> "I have the honour to inform you that your letter dated 28 January 2010 concerning your intention to appoint Major General Natalio C. Ecarma, of the Philippines, as Head of Mission and Force Commander of the United Nations Disengagement Observer Force[16] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[13] S/2009/597.

[14] S/PRST/2009/34.

[15] S/2010/56.

[16] S/2010/55.

On 19 April 2010, the President of the Security Council addressed the following letter to the Secretary-General:[17]

> "I have the honour to inform you that your letter dated 15 April 2010 concerning your intention to appoint Judge Mohamed Amin El Mahdi, of Egypt, and Judge Erik Møse, of Norway, as the two judges on the selection panel for the Special Tribunal for Lebanon, as well as Ms. Patricia O'Brien, Under-Secretary-General for Legal Affairs, the Legal Counsel, as your representative[18] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 6352nd meeting, on 30 June 2010, the Council considered the item entitled:

"The situation in the Middle East

> "Report of the Secretary-General on the United Nations Disengagement Observer Force (S/2010/296)".

Resolution 1934 (2010)
of 30 June 2010

The Security Council,

Having considered the report of the Secretary-General of 9 June 2010 on the United Nations Disengagement Observer Force,[19] and reaffirming its resolution 1308 (2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

2. *Welcomes* the efforts being undertaken by the United Nations Disengagement Observer Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take preventive and disciplinary action to ensure that such acts are properly investigated and punished in cases involving their personnel;

3. *Decides* to renew the mandate of the Force for a period of six months, that is, until 31 December 2010;

4. *Requests* the Secretary-General to submit, at the end of this period, a report on developments in the situation and the measures taken to implement resolution 338 (1973).

Adopted unanimously at the 6352nd meeting.

Decision

At the 6352nd meeting also, following the adoption of resolution 1934 (2010), the President of the Security Council made the following statement on behalf of the Council:[20]

> "In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:
>
> > 'As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force[19] states in paragraph 13: "... the situation in the

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[17] S/2010/199.

[18] S/2010/198.

[19] S/2010/296.

[20] S/PRST/2010/12.

Middle East is tense and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached". That statement of the Secretary-General reflects the view of the Security Council.' "

THE SITUATION IN CYPRUS[21]

Decision

At its 6239th meeting, on 14 December 2009, the Security Council considered the item entitled:

"The situation in Cyprus

"Report of the Secretary-General on the United Nations operation in Cyprus (S/2009/609)

"Report of the Secretary-General on his mission of good offices in Cyprus (S/2009/610)".

Resolution 1898 (2009)
of 14 December 2009

The Security Council,

Welcoming the report of the Secretary-General of 25 November 2009 on the United Nations operation in Cyprus[22] and his report of 30 November 2009 on his mission of good offices in Cyprus,[23]

Noting that the Government of Cyprus has agreed that, in view of the prevailing conditions on the island, it is necessary to keep the United Nations Peacekeeping Force in Cyprus beyond 15 December 2009,

Echoing the Secretary-General's firm belief that the responsibility for finding a solution lies first and foremost with the Cypriots themselves, stressing that there now exists a rare opportunity to make decisive progress in a timely fashion, and reaffirming the primary role of the United Nations in assisting the parties to bring the Cyprus conflict and division of the island to a comprehensive and durable settlement,

Commending the Greek Cypriot and Turkish Cypriot leaders for the political leadership they have shown, and warmly welcoming the progress made so far in the fully fledged negotiations, and the leaders' joint statements,

Strongly urging the leaders to increase the momentum of the negotiations to ensure the full exploitation of this opportunity to reach a comprehensive settlement based on a bicommunal, bizonal federation with political equality, as set out in the relevant Security Council resolutions,

Emphasizing the importance that the international community attaches to all parties engaging fully, flexibly and constructively in the negotiations, and looking forward to decisive progress in those negotiations in the near future,

Welcoming the intention of the Secretary-General to keep the Council informed of further developments and progress,

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[21] Resolutions or decisions on this question were first adopted by the Security Council in 1963.

[22] S/2009/609.

[23] S/2009/610.

Welcoming also the implementation of some of the confidence-building measures announced by the leaders, and calling for a renewed effort to implement the remaining measures and for agreement on and implementation of further steps to build trust between the communities,

Reaffirming the importance of continued crossings of the Green Line by Cypriots, encouraging the opening by mutual agreement of other crossing points, welcoming the leaders' agreement to open the Limnitis/Yeşilirmak crossing point and the successful first trial crossing of ambulances from both sides, and urging implementation of the second phase of the restoration of the Ledra Street crossing,

Convinced of the many important benefits for all Cypriots that would flow from a comprehensive and durable Cyprus settlement, and encouraging both sides clearly to explain these benefits, as well as the need for increased flexibility and compromise in order to secure them, to both communities well in advance of any eventual referendums,

Highlighting the supportive role that the international community will continue to play in helping the Greek Cypriot and Turkish Cypriot leaders to exploit fully the current opportunity,

Taking note of the assessment of the Secretary-General that the security situation on the island and along the Green Line remains stable, and urging all sides to avoid any action which could lead to an increase in tension, undermine the good progress achieved so far or damage the goodwill on the island,

Recalling the Secretary-General's firm belief that the situation in the buffer zone would be improved if both sides accepted the 1989 aide-memoire used by the United Nations,

Welcoming the progress made in proceeding with demining activities, looking forward to the clearance of the remaining minefields, and regretting the tragic death on 28 October 2009 of a civilian contractor working for the Mine Action Centre,

Welcoming also the progress and continuation of the important activities of the Committee on Missing Persons in Cyprus, and trusting that this process will promote reconciliation between the communities,

Agreeing that active participation of civil society groups is essential to the political process and can contribute to making any future settlement sustainable, welcoming all efforts to promote bicommunal contacts and events, including on the part of all United Nations bodies on the island, and urging the two sides to promote the active engagement of civil society and the encouragement of cooperation between economic and commercial bodies and to remove all obstacles to such contacts,

Stressing the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments,

Welcoming the intention of the Secretary-General to keep all peacekeeping operations, including those of the Force, under close review, and noting the importance of contingency planning in relation to the settlement, including recommendations, as appropriate, for further adjustments to the mandate, force levels and concept of operations of the Force, taking into account developments on the ground and the views of the parties,

Welcoming also the continued efforts of Mr. Alexander Downer as the Special Adviser to the Secretary-General on Cyprus with a mandate to assist the parties in the conduct of fully fledged negotiations aimed at reaching a comprehensive settlement,

Echoing the Secretary-General's gratitude to the Government of Cyprus and the Government of Greece for their voluntary contributions to the funding of the Force, and his request for further voluntary contributions from other countries and organizations,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Welcomes* the analysis of developments on the ground over the last six months in the reports of the Secretary-General, in accordance with his mandate;[22,23]

2. *Welcomes also* the progress made so far in the fully fledged negotiations, and the prospect of further progress in the near future towards a comprehensive and durable settlement that this has created;

3. *Urges* full exploitation of this opportunity, including by intensifying the momentum of the negotiations, improving the current atmosphere of trust and goodwill and engaging in the process in a constructive and open manner;

4. *Urges also* the implementation of confidence-building measures, and looks forward to agreement on and implementation of further such steps, including the opening of other crossing points;

5. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolution 1251 (1999) of 29 June 1999 and subsequent resolutions;

6. *Expresses its full support* for the United Nations Peacekeeping Force in Cyprus, and decides to extend its mandate for a further period ending 15 June 2010;

7. *Calls upon* both sides to continue to engage, as a matter of urgency and while respecting the mandate of the Force, in consultations with the Force on the demarcation of the buffer zone, and on the United Nations 1989 aide-memoire, with a view to reaching early agreement on outstanding issues;

8. *Calls upon* the Turkish Cypriot side and Turkish forces to restore in Strovilia the military status quo which existed there prior to 30 June 2000;

9. *Requests* the Secretary-General to submit a report on the implementation of the present resolution, including on contingency planning in relation to the settlement, by 1 June 2010 and to keep the Security Council updated on events as necessary;

10. *Welcomes* the efforts being undertaken by the Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including conducting predeployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

11. *Decides* to remain seized of the matter.

Adopted at the 6239th meeting
by 14 votes to 1 (Turkey).

Decisions

On 28 May 2010, the President of the Security Council addressed the following letter to the Secretary-General:[24]

> "I have the honour to inform you that your letter dated 27 May 2010 concerning your intention to appoint Ms. Lisa Buttenheim, of the United States of America, as your Special Representative in Cyprus and Head of the United Nations Peacekeeping Force in Cyprus[25] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[24] S/2010/261.

[25] S/2010/260.

At its 6339th meeting, on 15 June 2010, the Council considered the item entitled:

"The situation in Cyprus

> "Report of the Secretary-General on the United Nations operation in Cyprus (S/2010/264)
>
> "Report of the Secretary-General on his mission of good offices in Cyprus (S/2010/238)".

Resolution 1930 (2010)
of 15 June 2010

The Security Council,

Welcoming the report of the Secretary-General of 28 May 2010 on the United Nations operation in Cyprus[26] and his report of 11 May 2010 on his mission of good offices in Cyprus,[27]

Noting that the Government of Cyprus has agreed that, in view of the prevailing conditions on the island, it is necessary to keep the United Nations Peacekeeping Force in Cyprus beyond 15 June 2010,

Echoing the Secretary-General's firm belief that the responsibility for finding a solution lies first and foremost with the Cypriots themselves, stressing that there now exists a unique opportunity to make decisive progress in a timely fashion, and reaffirming the primary role of the United Nations in assisting the parties to bring the Cyprus conflict and division of the island to a comprehensive and durable settlement,

Commending the political leadership shown by the Greek Cypriot and Turkish Cypriot leaders, and warmly welcoming the progress made so far in the fully fledged negotiations, and the leaders' joint statements, including those of 23 May[28] and 1 July 2008,

Strongly urging the leaders to increase the momentum of the negotiations to ensure the full exploitation of this opportunity to reach a comprehensive settlement based on a bicommunal, bizonal federation with political equality, as set out in the relevant resolutions,

Emphasizing the importance that the international community attaches to all parties engaging fully, flexibly and constructively in the negotiations, echoing the view of the Secretary-General that a solution is well within reach, and looking forward to decisive progress in the near future, building on the progress made to date, consistent with the hope expressed by the two sides on 21 December 2009 that, if possible, 2010 would be the year of solution,

Welcoming the intention of the Secretary-General to keep the Security Council informed of further developments and progress, and noting the intention of the Secretary-General to submit a report in November 2010 on the state of the process,

Welcoming also the implementation of some of the confidence-building measures announced by the leaders, and calling for a renewed effort to implement the remaining measures and for agreement on and implementation of further steps to build trust between the communities,

Reaffirming the importance of continued crossings of the Green Line by Cypriots, encouraging the opening by mutual agreement of other crossing points, welcoming the continuing construction work towards the opening of the Limnitis/Yeşilırmak crossing point, and urging implementation of the second phase of the restoration of the Ledra Street crossing,

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[26] S/2010/264.

[27] S/2010/238.

[28] S/2008/353, annex III.

Convinced of the many important benefits for all Cypriots that would flow from a comprehensive and durable Cyprus settlement, and encouraging both sides clearly to explain these benefits, as well as the need for increased flexibility and compromise in order to secure them, to both communities well in advance of any eventual referendums,

Highlighting the supportive role that the international community will continue to play in helping the Greek Cypriot and Turkish Cypriot leaders to exploit fully the current opportunity,

Taking note of the assessment of the Secretary-General that the security situation on the island and along the Green Line remains stable, and urging all sides to avoid any action which could lead to an increase in tension, undermine the good progress achieved so far or damage the goodwill on the island,

Recalling the Secretary-General's firm belief that the situation in the buffer zone would be improved if both sides accepted the 1989 aide-memoire used by the United Nations,

Welcoming the progress made in proceeding with demining activities, and looking forward to the clearance of the remaining minefields,

Welcoming also the progress and continuation of the important activities of the Committee on Missing Persons in Cyprus, and trusting that this process will promote reconciliation between the communities,

Agreeing that the active participation of civil society groups is essential to the political process and can contribute to making any future settlement sustainable, welcoming all efforts to promote bicommunal contacts and events, including on the part of all United Nations bodies on the island, and urging the two sides to promote the active engagement of civil society and the encouragement of cooperation between economic and commercial bodies and to remove all obstacles to such contacts,

Stressing the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments,

Welcoming the intention of the Secretary-General to keep all peacekeeping operations, including those of the Force, under close review, and noting the importance of contingency planning in relation to the settlement, including recommendations, as appropriate, for further adjustments to the mandate, force levels and concept of operations of the Force, taking into account developments on the ground and the views of the parties,

Welcoming also the continued efforts of Mr. Alexander Downer as the Special Adviser to the Secretary-General on Cyprus, with a mandate to assist the parties in the conduct of fully fledged negotiations aimed at reaching a comprehensive settlement, expressing its appreciation for the work of Mr. Tayé-Brook Zerihoun as the Special Representative of the Secretary-General in Cyprus, and welcoming the appointment of Ms. Lisa Buttenheim as the new Special Representative of the Secretary-General,

Echoing the Secretary-General's gratitude to the Government of Cyprus and the Government of Greece for their voluntary contributions to the funding of the Force, and his request for further voluntary contributions from other countries and organizations,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Welcomes* the analysis of developments on the ground over the last six months in the reports of the Secretary-General, in accordance with his mandate;[26,27]

2. *Welcomes also* the progress made so far in the fully fledged negotiations, and the prospect of further progress in the near future towards a comprehensive and durable settlement that this has created;

3. *Urges* full exploitation of this opportunity, including by intensifying the momentum of the negotiations, preserving the current atmosphere of trust and goodwill and engaging in the process in a constructive and open manner;

4. *Urges also* the implementation of confidence-building measures, and looks forward to agreement on and implementation of further such steps, including the opening of other crossing points;

5. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolution 1251 (1999) of 29 June 1999 and subsequent resolutions;

6. *Expresses its full support* for the United Nations Peacekeeping Force in Cyprus, and decides to extend its mandate for a further period ending 15 December 2010;

7. *Calls upon* both sides to continue to engage, as a matter of urgency and while respecting the mandate of the Force, in consultations with the Force on the demarcation of the buffer zone, and on the United Nations 1989 aide-memoire, with a view to reaching early agreement on outstanding issues;

8. *Calls upon* the Turkish Cypriot side and Turkish forces to restore in Strovilia the military status quo which existed there prior to 30 June 2000;

9. *Requests* the Secretary-General to submit a report on the implementation of the present resolution, including on contingency planning in relation to the settlement, by 1 December 2010 and to keep the Security Council updated on events as necessary;

10. *Welcomes* the efforts being undertaken by the Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including conducting predeployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

11. *Decides* to remain seized of the matter.

Adopted at the 6339th meeting
by 14 votes to 1 (Turkey).

THE SITUATION CONCERNING WESTERN SAHARA[29]

Decisions

On 8 October 2009, the President of the Security Council addressed the following letter to the Secretary-General:[30]

> "I have the honour to inform you that your letter dated 6 October 2009 concerning your intention to appoint Mr. Hany Abdel-Aziz, of Egypt, as your Special Representative for Western Sahara and Head of the United Nations Mission for the Referendum in Western Sahara[31] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[29] Resolutions or decisions on this question were first adopted by the Security Council in 1975.

[30] S/2009/527.

[31] S/2009/526.

At its 6305th meeting, on 30 April 2010, the Council decided to invite the representative of Spain to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation concerning Western Sahara

> "Report of the Secretary-General on the situation concerning Western Sahara (S/2010/175)".

Resolution 1920 (2010)
of 30 April 2010

The Security Council,

Recalling and reaffirming all its previous resolutions on Western Sahara,

Reaffirming its strong support for the efforts of the Secretary-General and his Personal Envoy for Western Sahara to implement resolutions 1754 (2007) of 30 April 2007, 1783 (2007) of 31 October 2007, 1813 (2008) of 30 April 2008 and 1871 (2009) of 30 April 2009,

Reaffirming its commitment to assist the parties to achieve a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in this respect,

Reiterating its call upon the parties and States of the region to cooperate more fully with the United Nations and with each other to end the current impasse and to achieve progress towards a political solution,

Taking note of the proposal presented by Morocco to the Secretary-General on 11 April 2007[32] and welcoming serious and credible Moroccan efforts to move the process forward towards resolution, and taking note also of the proposal presented by the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro to the Secretary-General on 10 April 2007,[33]

Inviting, in this context, the parties to demonstrate further political will towards a solution,

Taking note of the four rounds of negotiations held under the auspices of the Secretary-General and the two rounds of informal talks held in Dürnstein, Austria, and in Westchester County, United States of America, and welcoming the progress made by the parties to enter into direct negotiations,

Stressing the importance of making progress on the human dimension of the conflict as a means to promote transparency and mutual confidence through constructive dialogue and humanitarian confidence-building measures, and noting the need for all parties to adhere to their obligations, taking into account the roles and responsibilities of the United Nations system and the relevant paragraphs of the report of the Secretary-General of 6 April 2010,[34]

Welcoming, in this context, the agreement of the parties, expressed in the communiqué of the Personal Envoy of the Secretary-General of 18 March 2008,[35] looking forward to the inauguration of family visits by land and the resumption of the existing programme by air, and encouraging the parties to cooperate with the United Nations High Commissioner for Refugees in implementing their agreement,

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[32] See S/2007/206, annex.

[33] S/2007/210, annex.

[34] S/2010/175.

[35] S/2008/251, annex I.

Welcoming also the commitment of the parties to continue the process of negotiations through the United Nations-sponsored talks,

Recognizing that the consolidation of the status quo is not acceptable in the long term, and noting further that progress in the negotiations is essential in order to improve the quality of life of the people of Western Sahara in all its aspects,

Affirming its support for the Personal Envoy of the Secretary-General, Mr. Christopher Ross, and his work in facilitating negotiations between the parties, and also welcoming his recent visit to the region and ongoing consultations with the parties and neighbouring States,

Welcoming the appointment of the Special Representative of the Secretary-General for Western Sahara and Head of the United Nations Mission for the Referendum in Western Sahara, Mr. Hany Abdel-Aziz,

Having considered the report of the Secretary-General of 6 April 2010,

1. *Reaffirms* the need for full respect of the military agreements reached with the United Nations Mission for the Referendum in Western Sahara with regard to the ceasefire, and calls upon the parties to adhere fully to those agreements;

2. *Welcomes* the commitment of the parties to continue the process of holding small, informal talks in preparation for a fifth round of negotiations, and recalls its endorsement of the recommendation in the report of the Secretary-General of 14 April 2008 that realism and a spirit of compromise by the parties are essential to achieve progress in negotiations;[16]

3. *Calls upon* the parties to continue to show political will and work in an atmosphere propitious for dialogue in order to enter into a more intensive and substantive phase of negotiations, thus ensuring the implementation of resolutions 1754 (2007), 1783 (2007), 1813 (2008) and 1871 (2009), and the success of negotiations, and affirms its strong support for the commitment of the Secretary-General and his Personal Envoy towards a solution to the question of Western Sahara in this context;

4. *Also calls upon* the parties to continue negotiations under the auspices of the Secretary-General without preconditions and in good faith, taking into account the efforts made since 2006 and subsequent developments, with a view to achieving a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and notes the role and responsibilities of the parties in this respect;

5. *Invites* Member States to lend appropriate assistance to these talks;

6. *Requests* the Secretary-General to keep the Security Council informed on a regular basis of the status and progress of these negotiations under his auspices, and express its intention to meet to receive and discuss his report;

7. *Also requests* the Secretary-General to provide a report on the situation in Western Sahara well before the end of the mandate period;

8. *Urges* Member States to provide voluntary contributions to fund confidence-building measures that allow for increased contact between separated family members, especially family visits, as well as other confidence-building measures that may be agreed upon between the parties;

9. *Decides* to extend the existing mandate of the Mission until 30 April 2011;

10. *Requests* the Secretary-General to continue to take the measures necessary to ensure full compliance in the Mission with the United Nations zero-tolerance policy on sexual

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[16] Ibid., para. 66.

exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

11. *Decides* to remain seized of the matter.

Adopted unanimously at the 6305th meeting.

THE SITUATION IN TIMOR-LESTE[17]

Decisions

At its 6205th meeting, on 23 October 2009, the Security Council decided to invite the representatives of Australia, Brazil, New Zealand, the Philippines, Portugal, South Africa, Sweden, Thailand and Timor-Leste (Deputy Prime Minister) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Timor-Leste

> "Report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste (S/2009/504)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Atul Khare, Special Representative of the Secretary-General for Timor-Leste and Head of the United Nations Integrated Mission in Timor-Leste.

On 1 December 2009, the President of the Security Council addressed the following letter to the Secretary-General:[18]

> "I have the honour to inform you that your letter dated 25 November 2009 concerning your intention to appoint Ms. Ameerah Haq, of Bangladesh, as your Special Representative for Timor-Leste and Head of the United Nations Integrated Mission in Timor-Leste[19] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 6276th meeting, on 23 February 2010, the Council decided to invite the representatives of Australia, Ireland, Malaysia, New Zealand, Portugal, South Africa and Timor-Leste (Deputy Prime Minister) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Timor-Leste

> "Report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste (S/2010/85)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Ameerah Haq, Special Representative of the Secretary-General for Timor-Leste and Head of the United Nations Integrated Mission in Timor-Leste.

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[17] Resolutions or decisions on this question were first adopted by the Security Council in 1975.

[18] S/2009/613.

[19] S/2009/612.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Pedro Serrano, Acting Head of the Delegation of the European Union to the United Nations.

At its 6278th meeting, on 26 February 2010, the Council decided to invite the representatives of Australia, Malaysia, New Zealand, the Philippines, Portugal, South Africa and Timor-Leste to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Timor-Leste

> "Report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste (S/2010/85)".

Resolution 1912 (2010)
of 26 February 2010

The Security Council,

Reaffirming all its previous resolutions and the statements by its President on the situation in Timor-Leste, in particular resolutions 1599 (2005) of 28 April 2005, 1677 (2006) of 12 May 2006, 1690 (2006) of 20 June 2006, 1703 (2006) of 18 August 2006, 1704 (2006) of 25 August 2006, 1745 (2007) of 22 February 2007, 1802 (2008) of 25 February 2008 and 1867 (2009) of 26 February 2009,

Welcoming the report of the Secretary-General of 12 February 2010,[40] including the overview of the findings and recommendations of the technical assessment mission, and its broad consultations with the Timorese authorities and other relevant stakeholders,

Reaffirming its full commitment to the sovereignty, independence, territorial integrity and national unity of Timor-Leste and the promotion of long-term stability in the country,

Taking note of the general stability through further improvements in the political and security situation, and reiterating its call upon the leadership and other stakeholders in Timor-Leste to continue to pursue peaceful dialogue and to avoid violent means to resolve differences,

Welcoming the successful completion of the village (suco) elections in October 2009 as an indication of the progress made in the democratic political process in Timor-Leste,

Welcoming also the efforts of the political leadership of Timor-Leste to create opportunities for all political parties to make contributions to issues of national interest,

Reaffirming the need for respect for the independence of the judiciary, stressing the need to act against impunity, in this regard acknowledging the serious resource constraints of the judicial system, encouraging the leadership of Timor-Leste to continue its efforts to establish accountability for serious criminal offences, including those committed during the 2006 crisis, as recommended by the Independent Special Commission of Inquiry for Timor-Leste,[41] and welcoming the adoption of a resolution by the National Parliament of Timor-Leste on 14 December 2009,

Expressing its full support for the establishment of the Anti-Corruption Commission, an independent organ that reports to the National Parliament, welcoming the appointment of its first commissioner, and encouraging Timor-Leste to take further steps to continue to increase the transparency, accountability and efficiency of the public administration,

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[40] S/2010/85.

[41] See S/2006/822, annex.

Welcoming the resumption of primary policing responsibilities by the National Police of Timor-Leste to date, and recalling its previous statements on the need to implement fully the "Arrangement on the Restoration and Maintenance of Public Security in Timor-Leste and Assistance to the Reform, Restructuring and Rebuilding of the Timorese National Police and the Ministry of the Interior", concluded between the Government of Timor-Leste and the United Nations Integrated Mission in Timor-Leste on 1 December 2006,

Noting the statement made by President José Ramos-Horta on 9 December 2009 on the views of the Timorese authorities regarding the future role of the Mission police during the period 2010–2012,

Expressing its full support for the role of the international security forces in assisting the Government of Timor-Leste and the Mission in the maintenance of law and stability, in response to the requests of the Government of Timor-Leste,

Expressing deep concern at the high rates of unemployment and poverty among the Timorese population, as indicated in the report of the Secretary-General, welcoming in this regard the actions already taken by the Government of Timor-Leste to address these issues, in particular the efforts to finalize the National Strategic Development Plan, and underlining the importance of continued support by the international community for the socio-economic development of Timor-Leste,

Recalling that, while the manifestations of the current challenges in Timor-Leste are political and institutional in nature, poverty and its associated deprivations also contribute to these challenges, paying tribute to Timor-Leste's bilateral and multilateral partners for their invaluable assistance, particularly with regard to human resources development, institutional capacity-building and social and economic development, and recognizing the progress being made in the development of many aspects of governance in Timor-Leste,

Welcoming the closing of all the internally displaced persons camps, while recognizing the remaining challenges with regard to the full reintegration of internally displaced persons in assuring the sustainability of their return and their reintegration into Timorese society,

Reaffirming its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009 and 1889 (2009) of 5 October 2009 on women and peace and security, resolutions 1674 (2006) of 28 April 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians and resolution 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel, and welcoming the cooperation of the Mission with other United Nations partners to support the efforts of the Government of Timor-Leste to develop a national gender equality policy and strategy,

Recognizing the important role that the Mission continues to play in promoting peace, stability and development in Timor-Leste, and expressing its appreciation for the efforts of the Mission and the United Nations country team, under the leadership of the Special Representative of the Secretary-General for Timor-Leste,

1. *Decides* to extend the mandate of the United Nations Integrated Mission in Timor-Leste until 26 February 2011 at the current authorized levels;

2. *Urges* all parties in Timor-Leste, in particular political leaders, to continue to work together and engage in political dialogue and to consolidate peace, democracy, the rule of law, sustainable social and economic development, advancement of protection of human rights and national reconciliation in the country, and reaffirms its full support for the continued efforts of the Special Representative of the Secretary-General for Timor-Leste aimed at addressing critical political and security-related issues facing the country, including enhancing a culture of democratic governance, through inclusive and collaborative processes;

3. *Requests* the Mission to extend the necessary support, within its current mandate, for municipal elections if requested by the Government of Timor-Leste, and encourages the international community to assist in this process;

4. *Reaffirms* the continued importance of the review and reform of the security sector in Timor-Leste, in particular the need to delineate roles and responsibilities between the Falintil-Forças de Defesa de Timor-Leste and the National Police of Timor-Leste, to strengthen legal frameworks and to enhance civilian oversight and accountability mechanisms of both security institutions, and requests the Mission to continue to support the Government of Timor-Leste in these efforts;

5. *Supports* the ongoing work on the resumption of policing responsibilities by the National Police of Timor-Leste through a phased approach to ensure that the National Police meets the criteria mutually agreed between the Government of Timor-Leste and the Mission as set out in paragraph 21 of the report of the Secretary-General of 4 February 2009,[42] and requests the Government and the Mission to continue their cooperation to implement expeditiously the resumption process in accordance with the mutually agreed criteria;

6. *Endorses* the intention of the Secretary-General to reconfigure the Mission police component, including its drawdown, in accordance with the phased process of resumption of policing responsibilities by the National Police of Timor-Leste, and requests the Secretary-General to include in his next report his review of this process;

7. *Requests* the Mission to continue to ensure, through the presence of the Mission police component and the provision of support to the National Police of Timor-Leste, the maintenance of public security in Timor-Leste, which includes interim law enforcement and public security until the National Police is fully reconstituted, and, working with partners, to intensify its efforts to assist with further training, mentoring, institutional development and strengthening of the National Police with a view to enhancing its effectiveness, including with respect to community policing, and to address the special needs of women, and recognizes the importance of ensuring that Mission personnel have the appropriate profile and specialized skill sets for these tasks, and the potential need for civilian experts for the above purpose;

8. *Underscores* the need for the concept of operations and rules of engagement to be regularly updated as necessary and to be fully in line with the provisions of the present resolution, and requests the Secretary-General to report on them to the Security Council and troop- and police-contributing countries within ninety days of the adoption of the present resolution;

9. *Reaffirms* the importance of ongoing efforts to achieve accountability and justice, expresses its support for the work of the Mission in assisting the Government of Timor-Leste in this regard, within its mandate, and underlines the importance of the implementation by the Government of the recommendations contained in the report of the Independent Special Commission of Inquiry for Timor-Leste of 2 October 2006,[41] including paragraphs 225 to 228 thereof;

10. *Underlines* the importance of a coordinated approach to the justice sector reform, taking into account the recommendations of the independent comprehensive needs assessment and through the implementation of the Government of Timor-Leste's Justice Sector Strategic Plan, and the ongoing need to increase Timorese ownership and strengthen national capacity in judicial line functions, including the training and specialization of national lawyers and judges, and emphasizes the need for sustained support of the international community in capacity-building and strengthening of institutions in this sector;

11. *Requests* the Mission to continue its efforts, adjusting them as necessary to enhance the effectiveness of the judiciary, in assisting the Government of Timor-Leste in carrying out the proceedings recommended by the Commission of Inquiry;

12. *Calls upon* the Mission to continue to support the Government of Timor-Leste in its efforts to coordinate donor cooperation in areas of institutional capacity-building;

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[42] S/2009/72.

13. *Recognizes* the importance of the Timor-Leste National Recovery Strategy, especially the attention paid to infrastructure, rural development and human resources capacity development, and in this regard calls upon the Mission to continue to cooperate and coordinate with the United Nations agencies, funds and programmes, as well as all relevant partners, to support the Government of Timor-Leste and relevant institutions in designing poverty reduction, education improvement, promotion of sustainable livelihood and economic growth policies;

14. *Encourages* the Government of Timor-Leste to strengthen peacebuilding perspectives in such areas as employment and empowerment, especially focusing on rural areas and youth, as well as local socio-economic development, in particular in the agricultural sector;

15. *Requests* the Mission to fully take into account gender considerations as set out in resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009) as a cross-cutting issue throughout its mandate, stressing the importance of strengthening the responsiveness of the security sector to the specific needs of women, and requests the Secretary-General to include in his reporting to the Council progress on gender mainstreaming throughout the Mission and all other aspects relating to the situation of women and girls, especially on the need to protect them from gender-based violence, detailing special measures to protect women and girls from such violence;

16. *Requests* the Secretary-General to continue to take the measures necessary to ensure full compliance by the Mission with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges those countries contributing troops and police to take appropriate preventive action and to ensure full accountability in cases of such conduct involving their personnel;

17. *Also requests* the Secretary-General to keep the Council regularly informed of the developments on the ground and the implementation of the present resolution and to submit to the Council, no later than 15 October 2010, a report which includes the elements requested in paragraph 6 of the present resolution and, no later than 26 January 2011, a report which includes possible adjustments in the mandate and strength of the Mission;

18. *Reaffirms* the importance of the medium-term strategy and benchmarks[43] for measuring and tracking progress in Timor-Leste and assessing the level and form of United Nations support while keeping the benchmarks under active review, and underlines the importance of ownership of the strategy by the leaders and people of Timor-Leste in this process;

19. *Decides* to remain seized of the matter.

Adopted unanimously at the 6278th meeting.

UNITED NATIONS PEACEKEEPING OPERATIONS[44]

Decisions

At its 6178th meeting, on 5 August 2009, the Security Council decided to invite the representatives of Argentina, Australia, Bangladesh, Brazil, Canada, Guatemala, India, Indonesia, Morocco, Nepal, New Zealand, Nigeria, Norway, Pakistan, Peru, Serbia, South Africa, Sweden, Thailand, Tunisia, Uruguay and Venezuela (Bolivarian Republic of) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "United Nations peacekeeping operations".

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[43] Ibid., annex.

[44] Resolutions or decisions on this question were first adopted by the Security Council in 1990.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Alain Le Roy, Under-Secretary-General for Peacekeeping Operations, and Ms. Susana Malcorra, Under-Secretary-General for Field Support.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to General Martin Luther Agwai, Force Commander of the African Union-United Nations Hybrid Operation in Darfur.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[45]

> "The Security Council reaffirms the recommendations made in its resolutions 1327 (2000) and 1353 (2001) and in the statements by its President of 3 May[46] and 4 November 1994,[47] 28 March 1996,[48] 31 January 2001[49] and 17 May 2004[50] and the note by its President of 14 January 2002[51] and confirms its intention to strengthen further efforts to implement fully those recommendations. The Council recalls, in particular, from the statement by its President of 3 May 1994, the appropriate factors that should be taken into account when the establishment of a new peacekeeping operation is under consideration.
>
> "The Council believes that United Nations peacekeeping is a unique global partnership that draws together the contributions and commitment of the entire United Nations system. The Council is committed to strengthening this partnership. The Council recognizes the important work conducted by the Special Committee on Peacekeeping Operations of the General Assembly, the Security Council Working Group on Peacekeeping Operations, the Fifth Committee of the Assembly and the Secretariat to ensure that peacekeeping efforts provide the best possible results.
>
> "The Council has endeavoured in the past six months to improve its dialogue with the Secretariat and with troop- and police-contributing countries on the collective oversight of peacekeeping operations and to develop the following practices:
>
> "(i) Regular dialogue with the Secretariat on the general challenges of peacekeeping;
>
> "(ii) Efforts to deepen consultations with troop- and police-contributing countries, including through the Working Group on Peacekeeping Operations and the debates organized on 23 January[52] and 29 June 2009;[53]
>
> "(iii) Organization of political-military meetings on specific operations to improve the shared analysis of operational challenges;
>
> "(iv) Encouraging regular updating of planning documents by the Secretariat to ensure consistency with mandates;
>
> "(v) Improved monitoring and evaluation, through the use of benchmarks, as and where appropriate, that enable progress to be charted against a comprehensive and integrated strategy.

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[45] S/PRST/2009/24.

[46] S/PRST/1994/22.

[47] S/PRST/1994/62.

[48] S/PRST/1996/13.

[49] S/PRST/2001/3.

[50] S/PRST/2004/16.

[51] S/2002/56.

[52] See S/PV.6075.

[53] See S/PV.6153 and S/PV.6153 (Resumption 1).

"The Council has identified several areas where further reflection is required to improve the preparation, planning, monitoring and evaluation, and completion of peacekeeping operations:

"(i) Ensuring that mandates for peacekeeping operations are clear, credible and achievable and matched by appropriate resources. The Council stresses the need regularly to assess, in consultation with other stakeholders, the strength, mandate and composition of peacekeeping operations with a view to making the necessary adjustments where appropriate, according to progress achieved or changing circumstances on the ground;

"(ii) Better information-sharing, particularly on the military operational challenges, through, inter alia, systematic consultation by the Secretariat with Member States in advance of the deployment of a technical assessment mission on its objectives and broad parameters, and debriefing on its main findings on its return. The Council encourages the practice of holding meetings between Council members and the Secretariat at the political-military expert level prior to discussion of mandate renewals. The Council recognizes the need to improve its access to military advice, and intends to pursue its work on mechanisms to that effect. The Council will continue to review the role of the Military Staff Committee;

"(iii) The Council intends to increase its interaction with the Secretariat in the early phase of mandate drafting and throughout mission deployment on the military, police, justice, rule of law and peacebuilding dimensions of an operation;

"(iv) Earlier and more meaningful engagement with troop- and police-contributing countries before the renewal or modification of the mandate of a peacekeeping operation. The Council welcomes practical suggestions to deepen such consultations. It recognizes that, through their experience and expertise, troop- and police-contributing countries can greatly contribute to effective planning, decision-making and deployment of peacekeeping operations. In this regard, the Council welcomes the interim report of its Working Group on Peacekeeping Operations[54] and encourages the Working Group to continue to address the issue of cooperation with troop- and police-contributing countries and other stakeholders. The Council commits to making progress on this issue and to reviewing its progress in 2010;

"(v) Greater awareness in the Council of the resource and field support implications of its decisions. The Council requests that, where a new peacekeeping mission is proposed, or where significant change to a mandate is envisaged, an estimate of the resource implications for the mission be provided to it;

"(vi) Enhanced awareness in the Council of the strategic challenges faced across peacekeeping operations. The Council welcomes the briefings to that effect received from the Department of Peacekeeping Operations and the Department of Field Support of the Secretariat since January 2009, which should continue on a regular basis.

"The Council recognizes the need to weigh the full range of responses when addressing a situation which may endanger international peace and security, and to deploy United Nations peacekeeping missions only as an accompaniment, not as an alternative, to a political strategy. The Council recognizes the importance of mobilizing and maintaining the political and operational support of all stakeholders.

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[54] S/2009/398, annex.

"The Council recognizes the urgent need to increase the pool of available troop and police contributors and welcomes efforts of Member States to coordinate bilateral assistance to them. The Council supports efforts to improve cooperation and coordination throughout the life of a mission with relevant regional and subregional organizations and other partners. The Council recognizes the priority of strengthening the capacity of the African Union, and the role of regional and subregional organizations, in maintaining international peace and security in accordance with Chapter VIII of the Charter of the United Nations.

"The Council welcomes efforts by the Secretariat to review peacekeeping operations and to provide enhanced planning and support, and encourages the Secretariat to deepen those efforts. In this regard, the Council takes note of the assessments and recommendations provided in the non-paper entitled 'A new partnership agenda: charting a new horizon for United Nations peacekeeping' and the support strategy contained therein, and intends to give them careful consideration.

"The Council recognizes that further debate is required among Member States, including in the Special Committee on Peacekeeping Operations, to develop a wider consensus on a range of issues, including the robust approach to peacekeeping and the implementation of protection of civilians mandates. The Council reaffirms the relevant provisions of its resolution 1674 (2006) and in this regard looks forward to reviewing the implementation of protection of civilians mandates later in 2009.

"The Council recalls the statement by its President of 22 July 2009 on post-conflict peacebuilding[55] and, in particular, re-emphasizes the need for coherence between, and integration of, peacemaking, peacekeeping, peacebuilding and development to achieve an effective response to post-conflict situations from the outset. The Council requests the Secretary-General to provide in his reports on specific missions an indication of progress towards achieving a coordinated United Nations approach in-country and, in particular, on critical gaps to achieving peacebuilding objectives alongside the mission.

"The Council remains committed to improving further the overall performance of United Nations peacekeeping and will conduct a further review in early 2010."

At its 6270th meeting, on 12 February 2010, the Council decided to invite the representatives of Bangladesh, Egypt, India, Italy, Jordan, Morocco, Nepal, Pakistan, the Philippines, Rwanda and Uruguay to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"United Nations peacekeeping operations

"Transition and exit strategies

"Letter dated 3 February 2010 from the Permanent Representative of France to the United Nations addressed to the Secretary-General (S/2010/67)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Alain Le Roy, Under-Secretary-General for Peacekeeping Operations, Ms. Susana Malcorra, Under-Secretary-General for Field Support, Mr. Alan Doss, Special Representative of the Secretary-General for the Democratic Republic of the Congo and Head of the United Nations Organization Mission in the Democratic Republic of the Congo, Ms. Ellen Margrethe Løj, Special Representative of the Secretary-General for Liberia and Head of the United Nations Mission in Liberia, and Mr. Michael von der Schulenburg, Executive Representative of the Secretary-General for Sierra Leone and Head of the United Nations Integrated Peacebuilding Office in Sierra Leone.

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[55] S/PRST/2009/23.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Peter Wittig, Permanent Representative of Germany to the United Nations and Chair of the Peacebuilding Commission.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Téte António, Permanent Observer of the African Union to the United Nations, and Mr. Pedro Serrano, Acting Head of the Delegation of the European Union to the United Nations.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[56]

"The Security Council reaffirms the statement by its President of 5 August 2009[45] and its continued commitment to enhance further the overall effectiveness of United Nations peacekeeping.

"The Council stresses, in particular, its commitment 'regularly to assess, in consultation with other stakeholders, the strength, mandate and composition of peacekeeping operations with a view to making the necessary adjustments where appropriate, according to progress achieved or changing circumstances on the ground'. The Council stresses that the overarching objective should be to achieve success by creating the conditions for sustainable peace on the ground, thereby allowing for reconfiguration or withdrawal of the United Nations peacekeeping mission.

"The Council underlines that an advanced peace process is an important factor in achieving successful transition from a peacekeeping operation to other configurations of United Nations presence. It also highlights the importance of a host State protecting its population, managing political disputes peaceably and providing for basic services and long-term development.

"The Council recognizes the importance of supporting political processes and national institutions, in particular for the rule of law, security and peacebuilding assistance, at the earliest stage. In this regard, the Council reiterates the urgency of improving United Nations peacebuilding efforts and achieving a coordinated United Nations approach in-country, as highlighted in the statement by its President of 22 July 2009[55] and in the report of the Secretary-General on peacebuilding in the immediate aftermath of conflict.[57]

"The Council underlines the importance of national ownership, constructive dialogue and partnership between national authorities and the international community in helping to address priority peacebuilding needs and the underlying causes of recurring instability.

"Further improvement can be made in Council practice, supported by the Secretariat, to ensure successful transitions, by developing clear, credible and achievable mandates, to be matched by appropriate resources. The Council:

- Undertakes, whenever possible, to include in peacekeeping mandates a desired outcome of the implementation of mandated tasks and a clear prioritization of tasks to achieve it, reflecting the need to create favourable conditions for sustainable peace;
- Stresses the importance of an appropriate level of military expertise for the decisions of the Council;

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[56] S/PRST/2010/2.

[57] S/2009/304.

- Stresses the need for precise and clear recommendations to be made available by the Secretariat, at least a month before mandate renewals, on the content of the mandate and any necessary adjustments, taking into account developments on the ground and the views of the host country, relevant troop- and police-contributing countries and other parties, as appropriate;

- Requests the Secretariat to plan military, police and other peacebuilding tasks in phases with clear objectives and taking into account local conditions that should be attained to allow mission success and transition from a peacekeeping operation, taking also into account the recent lessons learned from transitions to integrated peacebuilding offices;

- Recognizes the utility of strategic workplans and will consider extending their use in peacekeeping operations. Progress in achieving priority tasks laid down in Council resolutions should be measured, as appropriate, through benchmarks that can be easily monitored by the Council;

- Recognizes the importance of ensuring that mandated peacebuilding tasks are implemented as early as possible in a peacekeeping operation in coordination with the United Nations country team and with due respect for security concerns and the priorities of the host Government, taking into account pre-existing programmes and policies implemented before the inception of the operation. In this regard, the Council reaffirms the need to fully implement the integrated mission planning process and also notes the importance of the integrated strategic frameworks. The Council also notes the importance of the civilian capacities review currently being undertaken by the Peacebuilding Support Office;

- Undertakes to enhance coordination with the Peacebuilding Commission and looks forward to the 2010 review of the Commission and the recommendations on how its role can continue to be enhanced;

- Welcomes the adoption by the Security Council Working Group on Peacekeeping Operations of its programme of work, and commends, in particular, its decision to address key lessons learned from past and current missions about the successful implementation of transition strategies, with a view to improving Council practice;

- Recalls the necessity to take into account the protection of civilians in situations of armed conflict, as and when mandated, throughout the life cycle of United Nations peacekeeping and other relevant missions, in line with Council resolution 1894 (2009).

"The Council commits to regularly monitoring progress and achievement of the different stages of a given peacekeeping operation. The Council stresses the importance of maintaining an efficient reporting and information collection system.

"The Council reaffirms its belief that United Nations peacekeeping is a unique global partnership that draws together the contributions and commitment of the entire United Nations system. The Council is committed to strengthening this partnership and acknowledges the key role of the Special Committee on Peacekeeping Operations of the General Assembly and the Fifth Committee of the Assembly in that regard. The Council recognizes the need for continuous review of the military planning, police, judicial, rule of law and institution-building capabilities of the Secretariat to ensure their effective utilization and coordination.

"The Council recognizes the contribution of regional and subregional organizations to transition. The Council calls upon all Member States and subregional, regional and international partners to promote coherence and coordination of their peacebuilding plans and programmes with those of the United Nations peacekeeping operation and the wider United Nations presence on the ground.

"The Council undertakes to provide the political support necessary to ensure the effective implementation of peace processes in order to promote the success of United Nations peacekeeping operations.

"The Council stresses the importance of considering early peacebuilding in its own deliberations and of ensuring coherence between peacemaking, peacekeeping and peacebuilding to achieve effective transition strategies. The Council looks forward to discussing further the implementation of this integrated approach and requests the Secretary-General to intensify his efforts in this regard.

"The Council remains committed to improving further the overall effectiveness of United Nations peacekeeping, including through the recognition and enhancement of linkages with wider peacebuilding efforts, and will conduct a further review of progress in this regard in late 2010."

THE SITUATION BETWEEN IRAQ AND KUWAIT[58]

Decision

On 4 February 2010, the President of the Security Council addressed the following letter to the Secretary-General:[59]

"I have the honour to respond to your letter of 29 December 2009,[60] in which you referred to Security Council resolution 1284 (1999), in which the mandate of the High-level Coordinator for missing Kuwaiti and third-country nationals and missing Kuwaiti property was established.

"The members of the Council reiterate their continuing support for the important work of the High-level Coordinator.

"I wish to inform you that the Council has decided to earmark US$ 251,400 from the operating reserves and fund balance of the 2.2 per cent part of the escrow account intended for administrative and operational costs to finance the continuation of the activities of the High-level Coordinator and his support staff until 30 June 2010.

"The Council requests a comprehensive report on progress made during the period of the present mandate of the High-level Coordinator by 30 June 2010."

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[58] Resolutions or decisions on this question were first adopted by the Security Council in 1990.

[59] S/2010/72.

[60] S/2009/685.

THE SITUATION IN LIBERIA[61]

Decision

At its 6188th meeting, on 15 September 2009, the Security Council decided to invite the representative of Liberia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Liberia

> "Nineteenth progress report of the Secretary-General on the United Nations Mission in Liberia (S/2009/411)".

Resolution 1885 (2009)
of 15 September 2009

The Security Council,

Recalling its resolutions and the statements by its President concerning the situation in Liberia and the subregion, in particular resolutions 1509 (2003) of 19 September 2003, 1626 (2005) of 19 September 2005 and 1836 (2008) of 29 September 2008,

Welcoming the report of the Secretary-General of 10 August 2009,[62] as well as his special report of 10 June 2009,[63] and taking note of the recommendations contained in both reports,

Welcoming also the efforts of the Government of Liberia to further national reconciliation and economic recovery, and to combat corruption and promote efficiency and good governance, in particular steps taken with regard to strengthening Government control over natural resources and to address the important issue of land reform,

Taking note of the conclusion of the work of the Truth and Reconciliation Commission, which provides an important opportunity for the people of Liberia to move the national reconciliation agenda forward and engage in a constructive national dialogue on the root causes of the Liberian conflict,

Recognizing that lasting stability in Liberia and the subregion will require well-functioning and sustainable security and rule of law sectors, and noting the continuing progress being made in developing and professionalizing the Armed Forces of Liberia and the Liberia National Police,

Recalling the benchmarks for the drawdown phase of the United Nations Mission in Liberia, including core benchmarks on the Liberia National Police and the national security strategy, and noting with concern those areas where progress is still slow,

Recognizing the significant challenges that remain across all sectors, including continuing problems with violent crime,

Welcoming the efforts of the Secretary-General to keep all peacekeeping operations, including the Mission, under close review, and stressing the need for the Security Council to pursue a rigorous, strategic approach to peacekeeping deployments, consistent with the statement by its President of 5 August 2009 on United Nations peacekeeping operations,[64]

Expressing its appreciation for the continuing support of the international community, the Economic Community of West African States and the African Union,

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[61] Resolutions or decisions on this question were first adopted by the Security Council in 1991.

[62] S/2009/411.

[63] S/2009/299.

[64] S/PRST/2009/24.

Noting with concern the threats to subregional stability, including to Liberia, in particular those posed by drug trafficking, organized crime and illicit arms,

Commending the work of the Mission, under the leadership of the Special Representative of the Secretary-General for Liberia, for its continuing and significant contribution to maintaining peace and stability in Liberia, and welcoming the close cooperation between the Mission and the United Nations Operation in Côte d'Ivoire, as well as with neighbouring Governments, in coordinating security activities in the border areas in the subregion,

Taking note of the conclusions of the needs assessment mission that evaluated the requirements of the Liberian National Elections Commission to prepare for and conduct the October 2011 general presidential and legislative elections,[62] and stressing that the responsibility for the preparation and conduct of the elections rests with the Liberian authorities, with the support of the international community,

Welcoming the progress achieved on the benchmarks laid down in the reports of the Secretary-General of 12 September 2006,[65] 8 August 2007[66] and 19 March 2008,[67]

Recalling its resolutions 1325 (2000) of 31 October 2000 and 1820 (2008) of 19 June 2008 on women and peace and security, and condemning any sexual violence, further welcoming the continuing efforts of the Mission, in close cooperation with the Government of Liberia, to promote and protect the rights of civilians, in particular women and children, noting with appreciation that the Government strategy for the implementation of resolution 1325 (2000) is in place, recognizing the challenges that remain in addressing the serious issues of gender-based violence and sexual exploitation and abuse, and calling upon Member States to increase support to the Government in its efforts,

Encouraging the Liberian authorities to expedite their efforts to constitute the Independent National Commission on Human Rights,

Reiterating the continuing need for support by the Mission for the security of the Special Court for Sierra Leone, subject to periodic review as the work of the Court progresses,

Determining that the situation in Liberia continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the mandate of the United Nations Mission in Liberia shall be extended until 30 September 2010;

2. *Authorizes* the Mission to assist the Government of Liberia with the 2011 general presidential and legislative elections by providing logistical support, particularly to facilitate access to remote areas, coordinating international electoral assistance and supporting Liberian institutions and political parties in creating an atmosphere conducive to the conduct of peaceful elections;

3. *Calls upon* the Liberian authorities to ensure that the outstanding issues regarding the electoral legal framework, including the delineation of constituencies and proposed constitutional amendments, are finalized to facilitate adequate preparations for the elections;

4. *Endorses* the recommendation of the Secretary-General that the conduct of free and fair, conflict-free elections be a core benchmark for the future drawdown of the Mission;[63]

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[65] S/2006/743.

[66] S/2007/479.

[67] S/2008/183.

5. *Reaffirms its intention* to authorize the Secretary-General to redeploy troops, as may be needed, between the Mission and the United Nations Operation in Côte d'Ivoire on a temporary basis, in accordance with the provisions of resolution 1609 (2005) of 24 June 2005, and calls upon troop-contributing countries to support the efforts of the Secretary-General in this regard;

6. *Endorses* the recommendation of the Secretary-General in his special report of 10 June 2009 to implement the third stage of the drawdown of the Mission from October 2009 to May 2010, repatriating 2,029 military personnel, 3 attack helicopters and 72 armoured personnel carriers, leaving the military strength of the Mission at 8,202 personnel, including 7,952 troops in Liberia and 250 at the Special Court for Sierra Leone, and keeping the Mission police component at its current authorized strength;[63]

7. *Requests* the Secretary-General, following consultations with the Government of Liberia, to develop and submit to the Security Council a strategic integrated plan to coordinate activity towards the achievement of benchmarks, and, recalling the statements by its President of 22 July[68] and 5 August 2009,[64] which emphasized the need for coherence between, and integration of, peacemaking, peacekeeping, peacebuilding and development to achieve an effective response to post-conflict situations, requests the Secretary-General to provide in his reports an indication of progress towards achieving a coordinated United Nations approach in Liberia and, in particular, on critical gaps to achieving peacebuilding objectives;

8. *Underscores* the importance of the military concept of operations and rules of engagement being regularly updated and fully in line with the provisions of the present resolution, and requests the Secretary-General to report on them to the Council and troop-contributing countries;

9. *Requests* the Secretary-General to continue to monitor progress on core benchmarks, in particular on progress on preparations for the 2011 elections, and on the progress made towards building the capability of the Liberia National Police, and to report regularly on that progress to the Council;

10. *Calls upon* the Government of Liberia, in coordination with the Mission, the United Nations country team and international partners, to redouble efforts to develop national security and rule of law institutions that are fully and independently operational, and to this end encourages coordinated progress on the implementation of all security and justice development plans, including the Liberia National Police strategic plan referred to in paragraph 29 of the report of the Secretary-General of 10 August 2009;[62]

11. *Requests* the Secretary-General to keep the Council regularly informed of the situation on the ground and to provide by 15 August 2010 a report on the issues addressed in paragraphs 2 and 9 above;

12. *Decides* to remain seized of the matter.

Adopted unanimously at the 6188th meeting.

Decisions

On 22 October 2009, the President of the Security Council addressed the following letter to the Secretary-General:[69]

> "I have the honour to inform you that your letter dated 19 October 2009 concerning your intention to appoint Lieutenant General Sikander Afzal, of Pakistan, as Force Commander of the United Nations Mission in Liberia[70] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[68] S/PRST/2009/23.

[69] S/2009/547.

[70] S/2009/546.

At its 6246th meeting, on 17 December 2009, the Council decided to invite the representative of Liberia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Liberia

> "Letter dated 11 December 2009 from the Chairman of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia addressed to the President of the Security Council (S/2009/640)".

Resolution 1903 (2009)
of 17 December 2009

The Security Council,

Recalling its previous resolutions and the statements by its President on the situation in Liberia and West Africa,

Welcoming the sustained progress made by the Government of Liberia since January 2006 in rebuilding Liberia for the benefit of all Liberians, with the support of the international community,

Recalling its decision not to renew the measures in paragraph 10 of resolution 1521 (2003) of 22 December 2003 regarding round logs and timber products originating in Liberia, and stressing that Liberia's progress in the timber sector must continue with the effective implementation and enforcement of the National Forestry Reform Law signed into law on 5 October 2006, and other new legislation related to revenue transparency (the Liberia Extractive Industries Transparency Initiative Act) and resolution of land and tenure rights (the Community Rights Law with respect to Forest Lands and the Lands Commission Act),

Recalling also its decision to terminate the measures in paragraph 6 of resolution 1521 (2003) regarding diamonds, welcoming the Government of Liberia's participation and leadership at the regional and international levels in the Kimberley Process, noting the findings of the Panel of Experts on Liberia re-established pursuant to resolution 1854 (2008) of 19 December 2008 concerning diamonds, in particular those findings regarding domestic implementation of the Kimberley Process Certification Scheme,[71] noting Liberia's minimum implementation of the necessary internal controls and other requirements of the Certification Scheme, and stressing the need for the Government to redouble its commitment and efforts to ensure the effectiveness of these controls,

Recalling further the statement by its President of 25 June 2007[72] recognizing the role of voluntary initiatives aimed at improving revenue transparency, such as the Extractive Industries Transparency Initiative, and, taking note of General Assembly resolution 62/274 of 11 September 2008 on strengthening transparency in industries, recognizing Liberia's achievement of Initiative-compliant status, supporting Liberia's decision to take part in other extractive industry transparency initiatives, and encouraging Liberia's continued progress in improving revenue transparency,

Stressing the continuing importance of the United Nations Mission in Liberia in improving security throughout Liberia and helping the Government of Liberia to establish its authority throughout the country, particularly in the regions producing diamonds, timber and other natural resources, and border areas,

Taking note of the report of the Panel of Experts on Liberia, including on the issues of diamonds, timber, targeted sanctions, and arms and security, submitted on 11 December 2009,[73]

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[71] See A/57/489.

[72] S/PRST/2007/22.

[73] See S/2009/640.

Having reviewed the measures imposed by paragraphs 2 and 4 of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004) of 12 March 2004 and the progress made towards meeting the conditions set out in paragraph 5 of resolution 1521 (2003), noting the cooperation of the Government of Liberia with the Mission in weapons marking, and concluding that insufficient progress has been made towards that end,

Underlining its determination to support the Government of Liberia in its efforts to meet the conditions of resolution 1521 (2003), and encouraging all stakeholders, including donors, to support the Government in its efforts,

Welcoming the announcement by the Department of Peacekeeping Operations of the Secretariat of provisional guidelines on cooperation and information-sharing between the United Nations peacekeeping missions and the Security Council sanctions committees' expert panels,

Determining that, despite significant progress having been made in Liberia, the situation there continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to renew the measures on travel imposed by paragraph 4 of resolution 1521 (2003) for a period of twelve months from the date of adoption of the present resolution;

2. *Recalls* that the measures imposed by paragraph 1 of resolution 1532 (2004) remain in force, notes with serious concern the findings of the Panel of Experts on Liberia on the lack of progress with regard to the implementation of the financial measures imposed by paragraph 1 of resolution 1532 (2004),[73] and demands that the Government of Liberia make all necessary efforts to fulfil its obligations;

3. *Decides* that the measures on arms, previously imposed by paragraph 2 of resolution 1521 (2003) and modified by paragraphs 1 and 2 of resolution 1683 (2006) of 13 June 2006 and by paragraph 1 (*b*) of resolution 1731 (2006) of 20 December 2006, are replaced by those in paragraph 4 below, and shall not apply to the supply, sale or transfer of arms and related materiel and the provision of any assistance, advice or training related to military activities to the Government of Liberia for the period set forth in paragraph 4 below;

4. *Decides also* that all States shall take the measures necessary to prevent the direct or indirect supply, sale or transfer, from their territories or by their nationals, or using their flag vessels or aircraft, of arms and any related materiel and the provision of any assistance, advice or training related to military activities, including financing and financial assistance, to all non-governmental entities and individuals operating in the territory of Liberia for a period of twelve months from the date of adoption of the present resolution;

5. *Decides further* that the measures in paragraph 4 above shall not apply to:

(*a*) Supplies of arms and related materiel as well as technical training and assistance intended solely for the support of or use by the United Nations Mission in Liberia;

(*b*) Protective clothing, including flak jackets and military helmets, temporarily exported to Liberia by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel for their personal use only;

(*c*) Other supplies of non-lethal military equipment intended solely for humanitarian or protective use and related technical assistance and training, as notified in advance to the Security Council Committee established pursuant to paragraph 21 of resolution 1521 (2003) (hereinafter "the Committee") in accordance with paragraph 6 below;

6. *Decides* that, for the period set forth in paragraph 4 above, all States shall notify in advance to the Committee any shipment of arms and related materiel to the Government of Liberia, or any provision of assistance, advice or training related to military activities for the Government, except those referred to in paragraphs 5 (*a*) and (*b*) above, and stresses the importance of such notifications containing all relevant information, including, where applicable,

the type and quantity of weapons and ammunitions delivered, the end-user, the proposed date of delivery and the itinerary of shipments; and reiterates that the Government shall subsequently mark the weapons and ammunition, maintain a registry of them and formally notify the Committee that these steps have been taken;

7. *Reconfirms its intention* to review the measures imposed by paragraph 1 of resolution 1532 (2004) at least once a year, and directs the Committee, in coordination with the relevant designating States and with the assistance of the Panel of Experts, to update, as necessary, the publicly available reasons for listing for entries on the travel ban and assets freeze lists as well as the Committee's guidelines;

8. *Decides* to review any of the above measures at the request of the Government of Liberia, once the Government reports to the Council that the conditions set out in resolution 1521 (2003) for terminating the measures have been met and provides the Council with information to justify its assessment;

9. *Decides also* to extend the mandate of the Panel of Experts appointed pursuant to paragraph 4 of resolution 1854 (2008) for a further period, until 20 December 2010, to undertake the following tasks:

(*a*) To conduct two follow-up assessment missions to Liberia and neighbouring States, in order to investigate and compile a midterm report and a final report on the implementation, and any violations, of the measures imposed by paragraphs 4 and 6 above and resolution 1521 (2003), as amended by paragraphs 3 and 4 above, including any information relevant to the designation by the Committee of the individuals described in paragraph 4 (*a*) of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004), and including the various sources of financing, such as from natural resources, for the illicit trade in arms;

(*b*) To assess the impact and effectiveness of the measures imposed by paragraph 1 of resolution 1532 (2004), including, in particular, with respect to the assets of former President Charles Taylor;

(*c*) To identify and make recommendations regarding areas where the capacity of Liberia and the States in the region can be strengthened to facilitate the implementation of the measures imposed by paragraph 4 of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004);

(*d*) Within the context of Liberia's evolving legal framework, to assess the extent to which forestry and other natural resources are contributing to peace, security and development rather than to instability and to what extent relevant legislation (the National Forestry Reform Law, the Lands Commission Act, the Community Rights Law with respect to Forest Lands and the Liberia Extractive Industries Transparency Initiative Act) is contributing to this transition;

(*e*) To assess the compliance of the Government of Liberia with the Kimberley Process Certification Scheme,[71] and to coordinate with the Kimberley Process in assessing compliance;

(*f*) To provide a midterm report to the Council, through the Committee, by 1 June 2010 and a final report to the Council, through the Committee, by 20 December 2010 on all the issues listed in the present paragraph, and to provide informal updates to the Committee, as appropriate, before those dates, especially on progress in the timber sector since the lifting of the measures imposed by paragraph 10 of resolution 1521 (2003) in June 2006, and in the diamond sector since the lifting of the measures imposed by paragraph 6 of resolution 1521 (2003) in April 2007;

(*g*) To cooperate actively with other relevant groups of experts, in particular the Group of Experts on Côte d'Ivoire re-established by paragraph 10 of resolution 1893 (2009) of 29 October 2009, and with the Kimberley Process Certification Scheme;

(*h*) To assist the Committee in updating the publicly available reasons for listing for entries on the travel ban and assets freeze lists;

(*i*) To assess the impact of paragraphs 3 and 4 above, specifically the effect on the stability and security of Liberia;

10. *Requests* the Secretary-General to reappoint the Panel of Experts and to make the necessary financial and security arrangements to support the work of the Panel;

11. *Calls upon* all States and the Government of Liberia to cooperate fully with the Panel of Experts in all aspects of its mandate;

12. *Reiterates* the importance of continuing assistance by the Mission to the Government of Liberia, the Committee and the Panel of Experts, within its capabilities and areas of deployment, and, without prejudice to its mandate, continuing to carry out its tasks set forth in previous resolutions, including resolution 1683 (2006);

13. *Urges* the Government of Liberia to implement the recommendations of the 2009 Kimberley Process review team to strengthen internal controls over diamond mining and exports;

14. *Encourages* the Kimberley Process to continue to cooperate with the Panel of Experts and to report on developments regarding implementation by Liberia of the Kimberley Process Certification Scheme;

15. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6246th meeting.

Decisions

On 30 December 2009, the President of the Security Council addressed the following letter to the Secretary-General:[74]

> "I have the honour to inform you that your letter dated 28 December 2009 concerning your intention to reduce the strength of the military guard force assigned to the Special Court for Sierra Leone by 100 men and to maintain a 150-strong company of infantry soldiers and support personnel until the Court completes its work in 2011[75] has been brought to the attention of the members of the Security Council, who have taken note thereof."

On 19 July 2010, the President of the Security Council addressed the following letter to the Chair of the Peacebuilding Commission:[76]

> "I have the honour to refer to paragraph 12 of Security Council resolution 1645 (2005).
>
> "In a letter dated 27 May 2010 addressed to the Secretary-General that was forwarded to the Council on 14 June 2010, the Permanent Representative of Liberia to the United Nations requested that Liberia be placed on the agenda of the Peacebuilding Commission. The Council supports that request and invites the Commission to provide advice on the situation in Liberia.
>
> "The Council would welcome, first and foremost, the advice and recommendations of the Commission, following close consultation with the Government of Liberia, on the requirements necessary to help to accelerate progress in meeting key benchmarks, such as those set out by the United Nations Mission in Liberia, in the following areas:
>
> - Strengthening the rule of law;
> - Supporting security sector reform;
> - Supporting national reconciliation.

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[74] S/2009/680.

[75] S/2009/679.

[76] S/2010/389.

"The Council views Liberia's request as an important step on the country's, and indeed the region's, path to stability and lasting peace. The Council encourages the Commission to consider where it might add value in the near term to critical peacebuilding concerns in Liberia."

THE SITUATION IN SOMALIA[77]

Decisions

At its 6197th meeting, on 8 October 2009, the Security Council decided to invite the representative of Somalia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Somalia

> "Report of the Secretary-General on Somalia pursuant to Security Council resolution 1872 (2009) (S/2009/503)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs, and Mr. Craig Boyd, Director of the United Nations Support Office for the African Union Mission in Somalia.

At its 6221st meeting, on 18 November 2009, the Council decided to invite the representatives of Norway, the Philippines, Seychelles, Somalia, Spain, Sweden and Ukraine to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Somalia

> "Report of the Secretary-General pursuant to Security Council resolution 1846 (2008) (S/2009/590)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ahmedou Ould-Abdallah, Special Representative of the Secretary-General for Somalia and Head of the United Nations Political Office for Somalia.

At its 6226th meeting, on 30 November 2009, the Council decided to invite the representatives of Belgium, Bulgaria, Canada, Cyprus, Denmark, Germany, Greece, Italy, Liberia, Luxembourg, the Marshall Islands, the Netherlands, Norway, Panama, Portugal, the Republic of Korea, the Republic of Moldova, Romania, Seychelles, Singapore, Somalia, Spain, Sweden and Ukraine to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Somalia

> "Report of the Secretary-General pursuant to Security Council resolution 1846 (2008) (S/2009/590)".

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[77] Resolutions or decisions on this question were first adopted by the Security Council in 1992.

Resolution 1897 (2009)
of 30 November 2009

The Security Council,

Recalling its previous resolutions concerning the situation in Somalia, especially resolutions 1814 (2008) of 15 May 2008, 1816 (2008) of 2 June 2008, 1838 (2008) of 7 October 2008, 1844 (2008) of 20 November 2008, 1846 (2008) of 2 December 2008 and 1851 (2008) of 16 December 2008,

Continuing to be gravely concerned by the ongoing threat that piracy and armed robbery at sea against vessels pose to the prompt, safe and effective delivery of humanitarian aid to Somalia and the region, to international navigation and the safety of commercial maritime routes and to other vulnerable ships, including fishing activities in conformity with international law, and the extended range of the piracy threat into the western Indian Ocean,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, including Somalia's rights with respect to offshore natural resources, including fisheries, in accordance with international law,

Further reaffirming that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982,[78] sets out the legal framework applicable to combating piracy and armed robbery at sea, as well as other ocean activities,

Again taking into account the crisis situation in Somalia, and the limited capacity of the Transitional Federal Government to interdict or, upon interdiction, to prosecute pirates or to patrol or secure the waters off the coast of Somalia, including the international sea lanes and Somalia's territorial waters,

Noting the several requests of the Transitional Federal Government for international assistance to counter piracy off the coast of Somalia, including the letters dated 2 and 6 November 2009 from the Permanent Representative of Somalia to the United Nations expressing the appreciation of the Transitional Federal Government to the Security Council for its assistance, expressing the willingness of the Transitional Federal Government to consider working with other States and regional organizations to combat piracy and armed robbery at sea off the coast of Somalia, and requesting that the provisions of resolutions 1846 (2008) and 1851 (2008) be renewed for an additional twelve months,

Commending the efforts of the European Union operation Atalanta, which the European Union is committed to extending until December 2010, the North Atlantic Treaty Organization operations Allied Protector and Ocean Shield, the Combined Maritime Forces' Combined Task Force 151 and other States acting in a national capacity in cooperation with the Transitional Federal Government and each other to suppress piracy and to protect vulnerable ships transiting through the waters off the coast of Somalia,

Noting with concern that the continuing limited capacity and domestic legislation to facilitate the custody and prosecution of suspected pirates after their capture has hindered more robust international action against the pirates off the coast of Somalia, and in some cases has led to pirates being released without facing justice, regardless of whether there is sufficient evidence to support prosecution, reiterating that, consistent with the provisions of the United Nations Convention on the Law of the Sea concerning the repression of piracy, the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation of 10 March 1988[79] provides for parties to create criminal offences, establish jurisdiction and accept delivery of persons responsible for or suspected of seizing or exercising control over a ship by force or threat thereof or any other form of intimidation, and stressing the need for States to criminalize piracy under their domestic law and to favourably consider the prosecution, in appropriate cases, of suspected pirates, consistent with applicable international law,

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[78] United Nations, *Treaty Series*, vol. 1833, No. 31363.

[79] Ibid., vol. 1678, No. 29004.

Commending the efforts of Kenya to prosecute suspected pirates in its national courts, and noting with appreciation the assistance being provided by the United Nations Office on Drugs and Crime and other international organizations and donors, in coordination with the Contact Group on Piracy off the Coast of Somalia, to support Kenya, Somalia and other States in the region, including Seychelles and Yemen, to take steps to prosecute or incarcerate in a third State after prosecution elsewhere captured pirates, consistent with applicable international human rights law,

Noting the ongoing efforts within the Contact Group on Piracy off the Coast of Somalia to explore possible additional mechanisms to effectively prosecute persons suspected of piracy and armed robbery at sea off the coast of Somalia,

Noting with appreciation the ongoing efforts of the United Nations Office on Drugs and Crime and the United Nations Development Programme to support efforts to enhance the capacity of the corrections system in Somalia, including regional authorities, to incarcerate convicted pirates, consistent with applicable international human rights law,

Welcoming the adoption of the Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden (Djibouti Code of Conduct),[80] and the establishment of the International Maritime Organization Djibouti Code Trust Fund (a multi-donor trust fund initiated by Japan), as well as the international trust fund supporting initiatives of the Contact Group on Piracy off the Coast of Somalia, and recognizing the efforts of signatory States to develop the appropriate regulatory and legislative frameworks to combat piracy, enhance their capacity to patrol the waters of the region, interdict suspect vessels and prosecute suspected pirates,

Emphasizing that peace and stability within Somalia, the strengthening of State institutions, economic and social development and respect for human rights and the rule of law are necessary to create the conditions for a durable eradication of piracy and armed robbery at sea off the coast of Somalia, and further emphasizing that Somalia's long-term security rests with the effective development by the Transitional Federal Government of the National Security Force and the Somali Police Force, within the framework of the Djibouti Agreement and in line with a national security strategy,

Determining that the incidents of piracy and armed robbery at sea off the coast of Somalia exacerbate the situation in Somalia, which continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reiterates* that it condemns and deplores all acts of piracy and armed robbery against vessels in the waters off the coast of Somalia;

2. *Notes again with concern* the findings contained in the report of the Monitoring Group on Somalia of 20 November 2008 that escalating ransom payments and the lack of enforcement of the arms embargo established by resolution 733 (1992) of 23 January 1992 are fuelling the growth of piracy off the coast of Somalia,[81] and calls upon all States to fully cooperate with the Monitoring Group;

3. *Renews its call upon* States and regional organizations that have the capacity to do so to take part in the fight against piracy and armed robbery at sea off the coast of Somalia, in particular, consistent with the present resolution and international law, by deploying naval vessels, arms and military aircraft and through seizures and disposition of boats, vessels, arms and other

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[80] See International Maritime Organization, document C 102/14, annex, attachment 1.

[81] See S/2008/769, enclosure, sect. VIII.C.

related equipment used in the commission of piracy and armed robbery at sea off the coast of Somalia, or for which there are reasonable grounds for suspecting such use;

4. *Commends* the work of the Contact Group on Piracy off the Coast of Somalia to facilitate coordination in order to deter acts of piracy and armed robbery at sea off the coast of Somalia, in cooperation with the International Maritime Organization, flag States and the Transitional Federal Government, and urges States and international organizations to continue to support those efforts;

5. *Acknowledges* Somalia's rights with respect to offshore natural resources, including fisheries, in accordance with international law, and calls upon States and interested organizations, including the International Maritime Organization, to provide technical assistance to Somalia, including regional authorities, and nearby coastal States upon their request, to enhance their capacity to ensure coastal and maritime security, including combating piracy and armed robbery at sea off the Somali and nearby coastlines, and stresses the importance of coordination in this regard through the Contact Group on Piracy off the Coast of Somalia;

6. *Invites* all States and regional organizations fighting piracy off the coast of Somalia to conclude special agreements or arrangements with countries willing to take custody of pirates in order to embark law enforcement officials ("shipriders") from the latter countries, in particular countries in the region, to facilitate the investigation and prosecution of persons detained as a result of operations conducted under the present resolution for acts of piracy and armed robbery at sea off the coast of Somalia, provided that the advance consent of the Transitional Federal Government is obtained for the exercise of third State jurisdiction by shipriders in Somali territorial waters and that such agreements or arrangements do not prejudice the effective implementation of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation;[79]

7. *Encourages* Member States to continue to cooperate with the Transitional Federal Government in the fight against piracy and armed robbery at sea, notes the primary role of the Transitional Federal Government in the fight against piracy and armed robbery at sea, and decides to renew, for a period of twelve months from the date of the present resolution, the authorizations as set out in paragraph 10 of resolution 1846 (2008) and paragraph 6 of resolution 1851 (2008) granted to States and regional organizations cooperating with the Transitional Federal Government in the fight against piracy and armed robbery at sea off the coast of Somalia, for which advance notification has been provided by the Transitional Federal Government to the Secretary-General;

8. *Affirms* that the authorizations renewed in the present resolution apply only with respect to the situation in Somalia and shall not affect the rights, obligations or responsibilities of Member States under international law, including any rights or obligations under the United Nations Convention on the Law of the Sea,[78] with respect to any other situation, and underscores, in particular, that the present resolution shall not be considered as establishing customary international law, and affirms further that such authorizations have been renewed only following receipt of the letters dated 2 and 6 November 2009 conveying the consent of the Transitional Federal Government;

9. *Affirms also* that the measures imposed by paragraph 5 of resolution 733 (1992) and further elaborated upon in paragraphs 1 and 2 of resolution 1425 (2002) of 22 July 2002 do not apply to weapons and military equipment destined for the sole use of Member States and regional organizations undertaking measures in accordance with paragraph 7 above or to supplies of technical assistance to Somalia solely for the purposes set out in paragraph 5 above, which have been exempted from those measures in accordance with the procedure set out in paragraphs 11 (*b*) and 12 of resolution 1772 (2007) of 20 August 2007;

10. *Requests* that cooperating States take appropriate steps to ensure that the activities they undertake pursuant to the authorizations in paragraph 7 above do not have the practical effect of denying or impairing the right of innocent passage to the ships of any third State;

11. *Calls upon* Member States to assist Somalia, at the request of the Transitional Federal Government and with notification to the Secretary-General, to strengthen capacity in Somalia, including regional authorities, to bring to justice those who are using Somali territory to plan, facilitate or undertake criminal acts of piracy and armed robbery at sea, and stresses that any measures undertaken pursuant to the present paragraph shall be consistent with applicable international human rights law;

12. *Calls upon* all States, and in particular flag, port and coastal States, States of the nationality of victims and perpetrators of piracy and armed robbery, and other States with relevant jurisdiction under international law and national legislation to cooperate in determining jurisdiction and in the investigation and prosecution of persons responsible for acts of piracy and armed robbery off the coast of Somalia, consistent with applicable international law, including international human rights law, to ensure that all pirates handed over to judicial authorities are subject to a judicial process and to render assistance by, among other actions, providing disposition and logistics assistance with respect to persons under their jurisdiction and control, such as victims and witnesses and persons detained as a result of operations conducted under the present resolution;

13. *Commends*, in this context, the decision of the Contact Group on Piracy off the Coast of Somalia to establish an international trust fund to support its initiatives, and encourages donors to contribute to it;

14. *Urges* States parties to the United Nations Convention on the Law of the Sea and the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation to fully implement their relevant obligations under those Conventions and customary international law and to cooperate with the United Nations Office on Drugs and Crime, the International Maritime Organization, other States and other international organizations to build judicial capacity for the successful prosecution of persons suspected of piracy and armed robbery at sea off the coast of Somalia;

15. *Welcomes* the revisions by the International Maritime Organization to its recommendations and guidance on preventing and suppressing piracy and armed robbery against ships,[82] and urges States, in collaboration with the shipping and insurance industries, and the International Maritime Organization, to continue to develop and implement avoidance, evasion and defensive best practices and advisories to take when under attack or when sailing in the waters off the coast of Somalia, and further urges States to make their citizens and vessels available for forensic investigation, as appropriate, at the first port of call immediately following an act or attempted act of piracy or armed robbery at sea or release from captivity;

16. *Requests* States and regional organizations cooperating with the Transitional Federal Government to inform the Security Council and the Secretary-General within nine months of the progress of actions undertaken in the exercise of the authorizations provided in paragraph 7 above, and further requests all States contributing through the Contact Group on Piracy off the Coast of Somalia to the fight against piracy off the coast of Somalia, including Somalia and other States in the region, to report by the same deadline on their efforts to establish jurisdiction and cooperation in the investigation and prosecution of piracy;

17. *Requests* the Secretary-General to report to the Council within eleven months of the adoption of the present resolution on the implementation of the resolution and on the situation with respect to piracy and armed robbery at sea off the coast of Somalia;

18. *Requests* the Secretary-General of the International Maritime Organization to brief the Council, on the basis of cases brought to his attention by the agreement of all affected coastal States, and duly taking into account the existing bilateral and regional cooperative arrangements, on the situation with respect to piracy and armed robbery;

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[82] See International Maritime Organization, documents MSC.1/Circ.1333, annex, and MSC.1/Circ.1334, annex.

19. *Expresses its intention* to review the situation and to consider, as appropriate, renewing the authorizations provided in paragraph 7 above for additional periods upon the request of the Transitional Federal Government;

20. *Decides* to remain seized of the matter.

Adopted unanimously at the 6226th meeting.

Decisions

At its 6229th meeting, on 3 December 2009, the Security Council decided to invite the representative of Somalia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Somalia".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[83]

> "The Security Council condemns in the strongest terms the terrorist attack on 3 December 2009 in Mogadishu at a graduation ceremony for Somali medical students at Benadir University, which resulted in the death of innocent civilians and the Somali Ministers of Health, Higher Education and Education. This was a criminal attack on people dedicated to building a peaceful, stable and prosperous future for the people of Somalia.
>
> "The Council expresses its deepest sympathy and condolences to the families of those killed and to those injured in the attack, as well as to the Transitional Federal Government and the people of Somalia.
>
> "The Council urges that a thorough investigation be conducted and that the perpetrators of this attack be brought swiftly to justice.
>
> "The Council underlines its determination to continue to support the people of Somalia in their quest for peace and reconciliation, and the Transitional Federal Government as the legitimate authority in Somalia, and reiterates its full support for the Djibouti peace process, which provides a framework for reaching a lasting political solution in Somalia.
>
> "The Council reaffirms its demand that all opposition groups immediately end attacks, put down their arms, renounce violence and join reconciliation efforts. The Council further calls upon all parties to abide by their obligations under international humanitarian law, in particular to respect the security of civilians, humanitarian workers and personnel of the African Union Mission in Somalia.
>
> "The Council welcomes the work of the Mission in supporting the casualties of the attack and their relatives. It reiterates its strong support for the Mission and expresses its continued appreciation for the commitment of troops by the Governments of Uganda and Burundi.
>
> "The Council reaffirms that Somalia's long-term security rests with the effective development by the Transitional Federal Government of the National Security Force and the Somali Police Force, within the framework of the Djibouti Agreement and in line with a national security strategy. The Council urges the international community to support the Somali security institutions, in coordination with the Mission, including through training and equipment."

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[83] S/PRST/2009/31.

On 21 December 2009, the President of the Security Council addressed the following letter to the Secretary-General:[84]

> "I have the honour to inform you that your letter dated 15 December 2009 concerning your intention to let the United Nations Political Office for Somalia continue to carry out its tasks during the biennium 2010–2011[85] has been brought to the attention of the members of the Security Council. They have taken note of the intention expressed in the letter and the information contained therein."

At its 6259th meeting, on 14 January 2010, the Council decided to invite the representative of Somalia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Somalia

"Report of the Secretary-General on the situation in Somalia (S/2009/684)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ahmedou Ould-Abdallah, Special Representative of the Secretary-General for Somalia and Head of the United Nations Political Office for Somalia.

At the same meeting, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ramtane Lamamra, Commissioner for Peace and Security of the African Union Commission, in response to the request dated 8 January 2010 from the Permanent Representative of Uganda to the United Nations addressed to the President of the Council.

At the same meeting, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Yahya Mahmassani, Permanent Observer for the League of Arab States to the United Nations, in response to the request dated 6 January 2010 from the Permanent Representative of Lebanon to the United Nations addressed to the President of the Council.

At its 6266th meeting, on 28 January 2010, the Council decided to invite the representative of Somalia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Somalia

"Report of the Secretary-General on the situation in Somalia (S/2009/684)".

Resolution 1910 (2010)
of 28 January 2010

The Security Council,

Recalling all its previous resolutions and the statements by its President concerning the situation in Somalia,

Recalling also its resolutions 1674 (2006) of 28 April 2006, 1738 (2006) of 23 December 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict, resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009 and 1889 (2009) of 5 October 2009 on women and peace and security, and resolutions 1612 (2005) of 26 July 2005 and 1882 (2009) of 4 August 2009 on children and armed conflict,

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[84] S/2009/665.

[85] S/2009/664.

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia,

Reiterating its commitment to a comprehensive and lasting settlement of the situation in Somalia,

Reiterating its full support for the Djibouti peace process, which provides the framework for reaching a lasting political solution in Somalia, expressing its support for the Transitional Federal Charter, recognizing the need to promote reconciliation and dialogue among the Somali population, and stressing the importance of broad-based and representative institutions reached through a political process ultimately inclusive of all,

Commending the contribution of the African Union Mission in Somalia to lasting peace and stability in Somalia, expressing its appreciation for the continued commitment of troops and equipment to the Mission by the Governments of Uganda and Burundi, and condemning any hostilities towards the Mission and the Transitional Federal Government,

Commending also the Special Representative of the Secretary-General for Somalia, Mr. Ahmedou Ould-Abdallah, and reaffirming its strong support for his efforts,

Welcoming the communiqué issued by the Peace and Security Council of the African Union at its two hundred and fourteenth meeting, held on 8 January 2010, in which it renewed the mandate of the Mission for an additional period of twelve months,

Reaffirming the importance of the re-establishment, training, equipping and retention of Somali security forces, which is vital for the long-term stability of Somalia, and emphasizing the importance of coordinated, timely and sustained support from the international community,

Strongly encouraging the prompt disbursement of funds pledged in support of the Somali security institutions and the Mission at the international conference on Somalia, held in Brussels on 23 April 2009, and recognizing the importance of timely and predictable funding for the Transitional Federal Government and the Mission,

Reiterating its serious concern at the continued fighting in Somalia, and reaffirming its support for the Transitional Federal Government,

Condemning the terrorist attacks on the Transitional Federal Government, the Mission and the civilian population by armed groups and foreign fighters who undermine peace and stability in Somalia, particularly Al-Shabaab, and stressing the terrorist threat that Somali armed groups, in particular Al-Shabaab, constitute for Somalia and for the international community,

Emphasizing the importance of effective public information and communications operations to support the Transitional Federal Government and the Mission and consolidate the political process, and expressing its serious concern at the continuing attacks against journalists,

Reiterating its serious concern at the worsening humanitarian situation in Somalia, strongly condemning the targeting and obstruction of the delivery of humanitarian aid by armed groups in Somalia, which has prevented the delivery of such aid in some areas, deploring the repeated attacks on humanitarian personnel, expressing its condemnation in the strongest terms of all acts of violence or abuses committed against civilians and humanitarian personnel, in violation of international humanitarian law and human rights law, and reaffirming the importance of the fight against impunity,

Expressing its concern at the significant decline in humanitarian funding for Somalia, and calling upon all Member States to contribute to current and future consolidated humanitarian appeals,

Condemning all and any violations of human rights and international humanitarian and human rights law, stressing the responsibility of all parties in Somalia to respect fully their obligations in this regard and to take appropriate measures to protect civilians, including women and children, and recalling the conclusions of the Security Council Working Group on Children and Armed Conflict pertaining to parties to the armed conflict in Somalia,[86]

Recalling its resolution 1897 (2009) of 30 November 2009, recognizing that the ongoing instability in Somalia contributes to the problem of piracy and armed robbery at sea off the coast of Somalia, stressing the need for a comprehensive response by the international community to tackle piracy and its underlying causes, including through the training of the Somali coastguard, and welcoming the efforts of the Contact Group on Piracy off the Coast of Somalia, States and international and regional organizations,

Welcoming the report of the Secretary-General of 31 December 2009,[87] and the recommendations contained therein for continued action on the political, security and recovery tracks by the Transitional Federal Government, with the support of the international community,

Determining that the situation in Somalia constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to authorize the States members of the African Union to maintain until 31 January 2011 the African Union Mission in Somalia, which shall be authorized to take all measures necessary to carry out its existing mandate, as set out in paragraph 9 of resolution 1772 (2007) of 20 August 2007;

2. *Requests* the African Union to maintain the deployment in Somalia of the Mission and to increase its force strength with a view to achieving its originally mandated strength of 8,000 troops, thereby enhancing its ability to carry out its mandate in full;

3. *Requests* the Mission to continue to assist the Transitional Federal Government in the development of the Somali Police Force and the National Security Force, and to assist the integration of Somali units trained by other Member States or organizations inside and outside Somalia;

4. *Requests* the Secretary-General to continue to provide a logistical support package for the Mission, called for in resolution 1863 (2009) of 16 January 2009, comprising equipment and services, including public information support, but not including the transfer of funds, as described in the letter dated 30 January 2009 from the Secretary-General to the President of the Security Council,[88] until 31 January 2011, ensuring the accountability and transparency of expenditure of United Nations funds;

5. *Encourages* Member States to support the Mission and the Somali security sector institutions through the provision of appropriate and necessary equipment;

6. *Requests* the Mission to ensure that all equipment and services provided under the support package are used in a transparent and effective manner for their designated purposes, and further requests the African Union to report to the Secretary-General on the usage of such equipment and services in accordance with the memorandum of understanding established between the United Nations and the African Union;

7. *Requests* the Secretary-General to continue to provide technical and expert advice to the African Union in the planning and deployment of the Mission through the existing United Nations planning team in Addis Ababa;

8. *Urges* Member States and regional and international organizations to contribute generously and promptly to the United Nations trust fund for the Mission, or to make direct

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[86] S/AC.51/2008/14.

[87] S/2009/684.

[88] S/2009/60.

bilateral donations in support of the Mission, and encourages donors to work closely with the United Nations and the African Union in order to ensure that the appropriate funds and equipment are promptly provided, particularly in relation to the salaries of Mission soldiers and the costs of contingent-owned equipment;

9. *Recalls* its statement of intent regarding the establishment of a United Nations peacekeeping operation, as expressed in resolution 1863 (2009), and notes that any decision to deploy such an operation would take into account, inter alia, the conditions set out in the report of the Secretary-General of 16 April 2009,[illegible] and requests the Secretary-General to take the steps identified in paragraphs 82 to 86 of that report, subject to the conditions set out in the report;

10. *Emphasizes* that Somalia's long-term security rests with the effective development by the Transitional Federal Government of the National Security Force and the Somali Police Force, within the framework of the Djibouti Agreement and in line with a national security strategy;

11. *Urges* Member States and regional and international organizations to contribute generously and promptly to the United Nations trust fund for the Somali security institutions, and to offer assistance to the Somali security forces, including through training and equipment in coordination with the Mission, consistent with paragraphs 11 (*b*) and 12 of resolution 1772 (2007);

12. *Requests* the Secretary-General to continue to assist the Transitional Federal Government in developing the transitional security institutions, including the Somali Police Force and the National Security Force, and to continue to support the Transitional Federal Government in developing a national security strategy which reflects respect for the rule of law and the protection of human rights, including plans for disarmament, demobilization and reintegration, justice and corrections capacities, as well as the legal and policy framework for the operation of its security forces, including governance, vetting and oversight mechanisms;

13. *Reaffirms* that the measures imposed by paragraph 5 of resolution 733 (1992) of 23 January 1992 and further elaborated upon in paragraphs 1 and 2 of resolution 1425 (2002) of 22 July 2002 shall not apply to supplies and technical assistance provided in accordance with paragraphs 11 (*b*) and 12 of resolution 1772 (2007) to the Transitional Federal Government for the purposes of the development of its security sector institutions, consistent with the Djibouti peace process and subject to the notification procedure set out in paragraph 12 of resolution 1772 (2007);

14. *Reiterates its call upon* all Somali parties to support the Djibouti Agreement, and calls for the end of all hostilities, acts of armed confrontation and efforts to undermine the Transitional Federal Government;

15. *Welcomes* the efforts of the Transitional Federal Government on reconciliation, urges the Transitional Federal Government to continue and strengthen these efforts within the framework of the Djibouti Agreement with all groups willing to cooperate and ready to renounce violence, and requests the Secretary-General, through his Special Representative for Somalia, to continue to work with the international community to facilitate reconciliation;

16. *Calls for* the immediate cessation of all acts of violence or abuses committed against civilians and humanitarian personnel in violation of international humanitarian law and human rights law;

17. *Calls upon* all parties and armed groups to take appropriate steps to ensure the safety and security of humanitarian personnel and supplies, and demands that all parties ensure full, safe and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance across the country;

[illegible] S/2009/210.

18. *Requests* the Secretary-General, through his Special Representative and the United Nations Political Office for Somalia, to redouble efforts to coordinate effectively and develop an integrated approach to all activities of the United Nations system in Somalia, to provide good offices and political support for the efforts to establish lasting peace and stability in Somalia, and to mobilize resources and support from the international community for both the immediate recovery and the long-term economic development of Somalia, taking into account the recommendations contained in his report of 31 December 2009;[illegible]

19. *Calls upon* the Transitional Federal Government to take every appropriate measure to improve security conditions in Somalia, and requests the Secretary-General to expedite the proposed deployment of elements of the United Nations Political Office for Somalia and other United Nations offices and agencies, including the United Nations Support Office for the African Union Mission in Somalia, to Mogadishu, consistent with security conditions, as outlined in his report of 16 April 2009;[illegible]

20. *Requests* the Secretary-General to report on all aspects of the present resolution every four months, commencing 1 January 2010, and expresses its intention to review the situation, as part of his reporting obligations, as specified in the statement by the President of the Security Council of 31 October 2001[illegible] and Council resolution 1872 (2009) of 26 May 2009;

21. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6266th meeting.

Decision

At its 6289th meeting, on 19 March 2010, the Security Council decided to invite the representative of Somalia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Somalia".

Resolution 1916 (2010)
of 19 March 2010

The Security Council,

Reaffirming its previous resolutions and the statements by its President concerning the situation in Somalia and concerning Eritrea, in particular resolution 733 (1992) of 23 January 1992, which established an embargo on all deliveries of weapons and military equipment to Somalia (hereinafter referred to as "the Somalia arms embargo"), and resolutions 1519 (2003) of 16 December 2003, 1558 (2004) of 17 August 2004, 1587 (2005) of 15 March 2005, 1630 (2005) of 14 October 2005, 1676 (2006) of 10 May 2006, 1724 (2006) of 29 November 2006, 1744 (2007) of 20 February 2007, 1766 (2007) of 23 July 2007, 1772 (2007) of 20 August 2007, 1801 (2008) of 20 February 2008, 1811 (2008) of 29 April 2008, 1844 (2008) of 20 November 2008, 1853 (2008) of 19 December 2008, 1862 (2009) of 14 January 2009 and 1907 (2009) of 23 December 2009,

Recalling that, as set out in its resolutions 1744 (2007) and 1772 (2007), the arms embargo on Somalia does not apply to (*a*) weapons and military equipment, technical training and assistance intended solely for the support of or use by the African Union Mission in Somalia, and (*b*) supplies and technical assistance by States intended solely for the purpose of helping to develop security sector institutions, consistent with the political process set out in those resolutions and in the absence of a negative decision by the Security Council Committee established pursuant to resolution 751 (1992), the mandate of which was expanded pursuant to resolution 1907 (2009) (hereinafter referred to as "the Committee"), within five working days of receiving an advance notification of such supplies or assistance on a case-by-case basis,

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[illegible] S/PRST/2001/30.

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, Djibouti and Eritrea respectively,

Reaffirming that the Djibouti peace agreement and the peace process represent the basis for a resolution of the conflict in Somalia, reiterating its commitment to a comprehensive and lasting settlement of the situation in Somalia based on the Transitional Federal Charter, and reiterating the urgent need for all Somali leaders to take tangible steps to continue political dialogue,

Commending the work of the Special Representative of the Secretary-General for Somalia, Mr. Ahmedou Ould-Abdallah, and reaffirming its strong support for his efforts,

Taking note of the report of the Monitoring Group on Somalia, submitted on 10 March 2010 pursuant to paragraph 3 (*i*) of resolution 1853 (2008)[illegible] and the observations and recommendations contained therein,

Expressing concern at acts of intimidation against the Monitoring Group and interference with the work of the Monitoring Group,

Condemning flows of weapons and ammunition supplies to and through Somalia and Eritrea in violation of the Somalia arms embargo and the Eritrea arms embargo established pursuant to resolution 1907 (2009) (hereinafter referred to as "the Eritrea arms embargo") as a serious threat to peace and stability in the region,

Calling upon all Member States, in particular those in the region, to refrain from any action in contravention of the Somalia and Eritrea arms embargoes and to take all necessary steps to hold violators accountable,

Affirming the importance of enhancing the monitoring of the Somalia and Eritrea arms embargoes through persistent and vigilant investigation into the violations, bearing in mind that strict enforcement of the arms embargoes will improve the overall security situation in the region,

Determining that the situation in Somalia, Eritrea's actions undermining peace and reconciliation in Somalia, as well as the dispute between Djibouti and Eritrea continue to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Stresses* the obligation of all States to comply fully with the measures imposed by resolution 733 (1992), as elaborated upon and amended in subsequent relevant resolutions, as well as resolutions 1844 (2008) and 1907 (2009);

2. *Reiterates its intention* to consider specific action to improve implementation of and compliance with measures imposed by resolutions 733 (1992), 1844 (2008) and 1907 (2009);

3. *Decides* that paragraphs 11 (*b*) and 12 of resolution 1772 (2007) also apply to supplies and technical assistance by international, regional and subregional organizations;

4. *Underscores* the importance of humanitarian aid operations, condemns politicization, misuse and misappropriation of humanitarian assistance by armed groups, and calls upon Member States and the United Nations to take all feasible steps to mitigate the aforementioned practices in Somalia;

5. *Decides* that, for a period of twelve months from the date of the present resolution, and without prejudice to humanitarian assistance programmes conducted elsewhere, the obligations imposed on Member States in paragraph 3 of resolution 1844 (2008) shall not apply to the payment of funds, other financial assets or economic resources necessary to ensure the timely delivery of urgently needed humanitarian assistance in Somalia, by the United Nations, its specialized agencies or programmes, humanitarian organizations having observer status with the

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[illegible] See S/2010/91.

General Assembly that provide humanitarian assistance, or their implementing partners, and decides to review the effects of the present paragraph every one hundred and twenty days based on all available information, including the report of the United Nations Resident and Humanitarian Coordinator for Somalia submitted under paragraph 11 below;

6. *Decides also* to extend the mandate of the Monitoring Group on Somalia referred to in paragraph 3 of resolution 1558 (2004), and requests the Secretary-General to take the necessary administrative measures as expeditiously as possible to re-establish the Monitoring Group for a period of twelve months, drawing, as appropriate, on the expertise of the members of the Monitoring Group established pursuant to resolution 1853 (2008), and consistent with resolution 1907 (2009), with the addition of three experts, in order to fulfil its expanded mandate, this mandate being as follows:

(*a*) To continue the tasks outlined in paragraphs 3 (*a*) to (*c*) of resolution 1587 (2005) and paragraphs 23 (*a*) to (*c*) of resolution 1844 (2008);

(*b*) To carry out additionally the tasks outlined in paragraphs 19 (*a*) to (*d*) of resolution 1907 (2009);

(*c*) To investigate, in coordination with relevant international agencies, all activities, including in the financial, maritime and other sectors, which generate revenues used to commit violations of the Somalia and Eritrea arms embargoes;

(*d*) To investigate any means of transport, routes, seaports, airports and other facilities used in connection with violations of the Somalia and Eritrea arms embargoes;

(*e*) To continue refining and updating information on the draft list of those individuals and entities that engage in acts described in paragraphs 8 (*a*) to (*c*) of resolution 1844 (2008), inside and outside Somalia, and their active supporters, for possible future measures by the Security Council, and to present such information to the Committee as and when the Committee deems appropriate;

(*f*) To compile a draft list of those individuals and entities that engage in acts described in paragraphs 15 (*a*) to (*e*) of resolution 1907 (2009), inside and outside Eritrea, and their active supporters, for possible future measures by the Council, and to present such information to the Committee as and when the Committee deems appropriate;

(*g*) To continue making recommendations based on its investigations, on the previous reports of the Panel of Experts appointed pursuant to resolutions 1425 (2002) of 22 July 2002 and 1474 (2003) of 8 April 2003,[92] and on the previous reports of the Monitoring Group appointed pursuant to resolutions 1519 (2003),[93] 1558 (2004),[94] 1587 (2005),[95] 1630 (2005),[96] 1676 (2006),[97] 1724 (2006),[98] 1766 (2007),[99] 1811 (2008)[100] and 1853 (2008);[91]

(*h*) To work closely with the Committee on specific recommendations for additional measures to improve overall compliance with the Somalia and Eritrea arms embargoes, as well as the measures imposed in paragraphs 1, 3 and 7 of resolution 1844 (2008) and paragraphs 5, 6, 8, 10, 12 and 13 of resolution 1907 (2009) concerning Eritrea;

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[92] See S/2003/223 and S/2003/1035.

[93] See S/2004/604.

[94] See S/2005/153.

[95] See S/2005/625.

[96] See S/2006/229.

[97] See S/2006/913.

[98] See S/2007/436.

[99] See S/2008/274.

[100] See S/2008/769.

(*i*) To assist in identifying areas where the capacities of States in the region can be strengthened to facilitate the implementation of the arms embargoes, as well as the measures imposed in paragraphs 1, 3 and 7 of resolution 1844 (2008) and paragraphs 5, 6, 8, 10, 12 and 13 of resolution 1907 (2009) concerning Eritrea;

(*j*) To provide to the Council, through the Committee, a midterm briefing within six months of its establishment, and to submit progress reports to the Committee on a monthly basis;

(*k*) To submit, for consideration by the Council, through the Committee, a final report covering all the tasks set out above, no later than fifteen days prior to the termination of the mandate of the Monitoring Group;

7. *Requests* the Secretary-General to make the necessary financial arrangements to support the work of the Monitoring Group;

8. *Reaffirms* paragraphs 4, 5, 7, 8 and 10 of resolution 1519 (2003);

9. *Requests* the Committee, in accordance with its mandate and in consultation with the Monitoring Group and other relevant United Nations entities, to consider the recommendations contained in the reports of the Monitoring Group of 5 April[96] and 16 October 2006,[97] 17 July 2007,[98] 24 April[99] and 20 November 2008[100] and 10 March 2010[101] and recommend to the Council ways to improve implementation of and compliance with the arms embargoes as well as implementation of the measures imposed in paragraphs 1, 3 and 7 of resolution 1844 (2008) and paragraphs 5, 6, 8, 10, 12 and 13 of resolution 1907 (2009) concerning Eritrea, in response to continuing violations;

10. *Requests* that all States, including Eritrea, other States in the region and the Transitional Federal Government ensure cooperation with the Monitoring Group by individuals and entities within their jurisdiction or under their control;

11. *Requests* the United Nations Resident and Humanitarian Coordinator for Somalia to report to the Council every one hundred and twenty days on the implementation of paragraphs 4 and 5 above and on any impediments to the delivery of humanitarian assistance in Somalia, and requests relevant United Nations agencies and humanitarian organizations having observer status in the General Assembly that provide humanitarian assistance to assist the Coordinator in the preparation of such report by providing information relevant to paragraphs 4 and 5 above;

12. *Urges* that all parties and all States, particularly those in the region, including international, regional and subregional organizations, cooperate fully with the work of the Monitoring Group and ensure the safety of its members, and unhindered access, in particular to persons, documents and sites that the Monitoring Group deems relevant to the execution of its mandate;

13. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6289th meeting

Decision

At its 6301st meeting, on 27 April 2010, the Security Council decided to invite the representative of Somalia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Somalia

"Report of the Secretary-General pursuant to Security Council resolution 1846 (2008) (S/2009/590)".

Resolution 1918 (2010)
of 27 April 2010

The Security Council,

Recalling its previous resolutions concerning the situation in Somalia, especially resolutions 1814 (2008) of 15 May 2008, 1816 (2008) of 2 June 2008, 1838 (2008) of 7 October 2008, 1844 (2008) of 20 November 2008, 1846 (2008) of 2 December 2008, 1851 (2008) of 16 December 2008 and 1897 (2009) of 30 November 2009,

Continuing to be gravely concerned by the threat that piracy and armed robbery at sea against vessels pose to the situation in Somalia and other States in the region, as well as to international navigation and the safety of commercial maritime routes,

Reaffirming that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982 ("the Convention"),[8] in particular articles 100, 101 and 105 thereof, sets out the legal framework applicable to combating piracy and armed robbery at sea, as well as other ocean activities,

Reaffirming also that the authorizations renewed in resolution 1897 (2009) apply only with respect to the situation in Somalia and shall not affect the rights, obligations or responsibilities of Member States under international law, including any rights or obligations under the Convention, with respect to any other situation, and underscoring, in particular, that resolution 1897 (2009) shall not be considered as establishing customary international law,

Stressing the need to address the problems caused by the limited capacity of the judicial system of Somalia and other States in the region to effectively prosecute suspected pirates,

Noting with appreciation the assistance being provided by the United Nations Office on Drugs and Crime and other international organizations and donors, in coordination with the Contact Group on Piracy off the Coast of Somalia, to enhance the capacity of the judicial and the corrections systems in Somalia, Kenya, Seychelles and other States in the region to prosecute suspected, and imprison convicted, pirates consistent with applicable international human rights law,

Commending the role of the European Union operation Atalanta, the North Atlantic Treaty Organization operations Allied Protector and Ocean Shield, the Combined Maritime Forces' Combined Task Force 151 and other States acting in a national capacity in cooperation with the Transitional Federal Government and each other, in suppressing piracy and armed robbery at sea off the coast of Somalia, including by bringing persons suspected of piracy to justice,

Commending also the efforts of Kenya to date to prosecute suspected pirates in its national courts and imprison convicted persons, and encouraging Kenya to continue these efforts, while acknowledging the difficulties that Kenya encounters in this regard,

Commending further the efforts to date of other States to prosecute suspected pirates in their national courts,

Acknowledging the decision of Seychelles to engage in the prosecution of suspected pirates, and welcoming in particular its decision on 6 February 2010 to consider hosting a regional prosecution centre,

Commending the decision of the Contact Group on Piracy off the Coast of Somalia to create the international trust fund supporting initiatives of the Contact Group, administered by the United Nations Office on Drugs and Crime, to defray the expenses associated with the prosecution of suspected pirates and to support other counter-piracy initiatives, welcoming the contributions of participating States, and encouraging other potential donors to contribute to the fund,

Welcoming the adoption of the Contact Group on Piracy off the Coast of Somalia regional capability needs assessment report, and urging States and international organizations to provide the fullest possible support to enable early implementation of the recommendations contained therein, *Commending* those States that have amended their domestic law in order to criminalize piracy and facilitate the prosecution of suspected pirates in their national courts, consistent with applicable international law, including human rights law, and stressing the need for States to continue their efforts in this regard,

Noting with concern, at the same time, that the domestic law of a number of States lacks provisions criminalizing piracy and/or procedural provisions for effective criminal prosecution of suspected pirates,

Acknowledging the ongoing efforts within the Contact Group on Piracy off the Coast of Somalia to explore possible mechanisms to more effectively prosecute persons suspected of piracy and armed robbery at sea off the coast of Somalia,

Emphasizing that peace and stability within Somalia, the strengthening of State institutions, economic and social development and respect for human rights and the rule of law are necessary to create the conditions for a durable eradication of piracy and armed robbery at sea off the coast of Somalia, and further emphasizing that Somalia's long-term security rests with the effective development by the Transitional Federal Government of the National Security Force and the Somali Police Force, within the framework of the Djibouti Agreement and in line with a national security strategy,

Concerned over cases in which persons suspected of piracy are released without facing justice, and determined to create conditions to ensure that pirates are held accountable,

1. *Affirms* that the failure to prosecute persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia undermines anti-piracy efforts of the international community;

2. *Calls upon* all States, including States in the region, to criminalize piracy under their domestic law and to favourably consider the prosecution of suspected, and imprisonment of convicted, pirates apprehended off the coast of Somalia, consistent with applicable international human rights law;

3. *Welcomes*, in this context, the progress being made to implement the International Maritime Organization Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden (Djibouti Code of Conduct),[80] and calls upon participants to implement the Code fully as soon as possible;

4. *Requests* the Secretary-General to submit to the Security Council within three months a report on possible options to further the aim of prosecuting and imprisoning persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia, including, in particular, options for creating special domestic chambers, possibly with international components, a regional tribunal or an international tribunal and corresponding imprisonment arrangements, taking into account the work of the Contact Group on Piracy off the Coast of Somalia, the existing practice in establishing international and mixed tribunals, and the time and the resources necessary to achieve and sustain substantive results;

5. *Decides* to remain seized of the matter.

Adopted unanimously at the 6301st meeting.

Decisions

At its 6313th meeting, on 12 May 2010, the Security Council decided to invite the representatives of Norway and Somalia (First Deputy Prime Minister and Minister of Fisheries and Marine Resources) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Somalia

"Report of the Secretary-General on Somalia (S/2010/234)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ahmedou Ould-Abdallah, Special Representative of the Secretary-General for Somalia and Head of the United Nations Political Office for Somalia.

At the same meeting, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Pedro Serrano, Acting Head of the Delegation of the European Union to the United Nations, in response to his request dated 5 May 2010.

At the same meeting, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ramtane Lamamra, Commissioner for Peace and Security of the African Union Commission, in response to the request dated 12 May 2010 from the Permanent Representative of Uganda to the United Nations addressed to the President of the Council.

On 9 June 2010, the President of the Security Council addressed the following letter to the Secretary-General:[101]

> "I have the honour to inform you that your letter dated 7 June 2010 concerning your intention to appoint Mr. Augustine Mahiga, of the United Republic of Tanzania, as your Special Representative for Somalia and Head of the United Nations Political Office for Somalia[102] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

ITEMS RELATING TO THE SITUATION IN THE FORMER YUGOSLAVIA

A. The situation in Bosnia and Herzegovina[103]

Decision

At its 6220th meeting, on 18 November 2009, the Security Council decided to invite the representatives of Bosnia and Herzegovina, Germany and Italy to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

> "Letter dated 12 November 2009 from the Secretary-General addressed to the President of the Security Council (S/2009/588)
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> "Letter dated 8 October 2009 from the Secretary-General addressed to the President of the Security Council (S/2009/525)".

Resolution 1895 (2009)
of 18 November 2009

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia and the relevant statements by its President, including resolutions 1031 (1995) of 15 December 1995, 1088 (1996) of 12 December 1996, 1423 (2002) of 12 July 2002, 1491 (2003) of 11 July 2003, 1551 (2004) of 9 July 2004, 1575 (2004) of 22 November 2004, 1639 (2005) of

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[101] S/2010/302.

[102] S/2010/301.

[103] Resolutions or decisions on this question were first adopted by the Security Council in 1992.

21 November 2005, 1722 (2006) of 21 November 2006, 1764 (2007) of 29 June 2007, 1785 (2007) of 21 November 2007, 1845 (2008) of 20 November 2008 and 1869 (2009) of 25 March 2009,

Reaffirming its commitment to the political settlement of the conflicts in the former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Emphasizing its full support for the continued role in Bosnia and Herzegovina of the High Representative for Bosnia and Herzegovina,

Underlining its commitment to support the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[104] as well as the relevant decisions of the Peace Implementation Council,

Recalling all the agreements concerning the status of forces referred to in appendix B to annex 1-A of the Peace Agreement, and reminding the parties of their obligation to continue to comply therewith,

Recalling also the provisions of its resolution 1551 (2004) concerning the provisional application of the status-of-forces agreements contained in appendix B to annex 1-A of the Peace Agreement,

Emphasizing its appreciation to the High Representative, the Commander and personnel of the multinational stabilization force (the European Union Force), the Senior Military Representative and personnel of the North Atlantic Treaty Organization Headquarters Sarajevo, the Organization for Security and Cooperation in Europe, the European Union and the personnel of other international organizations and agencies in Bosnia and Herzegovina for their contributions to the implementation of the Peace Agreement,

Emphasizing that a comprehensive and coordinated return of refugees and displaced persons throughout the region continues to be crucial to lasting peace,

Recalling the declarations of the ministerial meetings of the Peace Implementation Council,

Recognizing that full implementation of the Peace Agreement is not yet complete, while paying tribute to the achievements of the authorities at State and entity level in Bosnia and Herzegovina and of the international community in the fourteen years since the signing of the Peace Agreement,

Emphasizing the importance of Bosnia and Herzegovina's progress towards Euro-Atlantic integration on the basis of the Peace Agreement, while recognizing the importance of Bosnia and Herzegovina's transition to a functional, reform-oriented, modern and democratic European country,

Taking note of the reports of the High Representative, including his latest report, of 6 November 2009,[105]

Determined to promote the peaceful resolution of the conflicts in accordance with the purposes and principles of the Charter of the United Nations,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994[106] and the statement by its President on 9 February 2000,[107]

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[104] See S/1995/999.

[105] See S/2009/588.

[106] United Nations, *Treaty Series*, vol. 2051, No. 35457.

[107] S/PRST/2000/4.

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Taking note of the conclusions of the Ministers for Foreign Affairs and Ministers of Defence of the European Union at their joint meeting held on 18 May 2009, in which they welcomed the positive contribution of the European Union Force to the safe and secure environment in Bosnia and Herzegovina, and added that the European Union Force continued to provide reassurance and remained ready to respond to possible security challenges throughout the country, and the conclusions of the Ministers for Foreign Affairs and Ministers of Defence of the European Union at their joint meeting held on 17 November 2009,

Recalling the letters between the European Union and the North Atlantic Treaty Organization sent to the Security Council on 19 November 2004 on how those organizations will cooperate together in Bosnia and Herzegovina[108] in which both organizations recognize that the European Union Force will have the main peace stabilization role under the military aspects of the Peace Agreement,

Recalling also the confirmation by the Presidency of Bosnia and Herzegovina, on behalf of Bosnia and Herzegovina, including its constituent entities, of the arrangements for the European Union Force and the North Atlantic Treaty Organization Headquarters presence,[109]

Welcoming the increased engagement of the European Union in Bosnia and Herzegovina and the continued engagement of the North Atlantic Treaty Organization,

Reiterating once again its calls upon the authorities in Bosnia and Herzegovina to implement in full their undertakings, as also confirmed in the declaration by the Steering Board of the Peace Implementation Council of 30 June 2009, and recognizing, in particular, the need to find a solution on State and defence property,

Welcoming the progress achieved by Bosnia and Herzegovina on some European Partnership priorities, towards implementing the Interim Agreement and towards fulfilling the visa liberalization road map requirements, and calling upon the authorities in Bosnia and Herzegovina to strengthen and step up their efforts to complete the urgent reforms highlighted by the European Commission in its progress report of 14 October 2009 to implement the European Partnership and to prepare to meet obligations under the Interim Agreement and, in due course, the Stabilization and Association Agreement,

Determining that the situation in the region continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms once again its support* for the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[104] as well as for the Dayton Agreement on Implementing the Federation of Bosnia and Herzegovina of 10 November 1995,[110] and calls upon the parties to comply strictly with their obligations under those Agreements;

2. *Reiterates* that the primary responsibility for the further successful implementation of the Peace Agreement lies with the authorities in Bosnia and Herzegovina themselves and that the continued willingness of the international community and major donors to assume the political, military and economic burden of implementation and reconstruction efforts will be determined by the compliance and active participation by all the authorities in Bosnia and Herzegovina in

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[108] See S/2004/915 and S/2004/916.

[109] See S/2004/917.

[110] S/1995/1021, annex.

implementing the Peace Agreement and rebuilding a civil society, in particular in full cooperation with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, in strengthening joint institutions, which foster the building of a fully functioning self-sustaining State able to integrate itself into the European structures, and in facilitating returns of refugees and displaced persons;

3. *Reminds* the parties once again that, in accordance with the Peace Agreement, they have committed themselves to cooperate fully with all entities involved in the implementation of this peace settlement, as described in the Peace Agreement, or which are otherwise authorized by the Security Council, including the International Tribunal for the Former Yugoslavia, as it carries out its responsibilities for dispensing justice impartially, and underlines that full cooperation by States and entities with the Tribunal includes, inter alia, the surrender for trial or apprehension of all persons indicted by the Tribunal and the provision of information to assist in Tribunal investigations;

4. *Emphasizes its full support* for the continued role of the High Representative for Bosnia and Herzegovina in monitoring the implementation of the Peace Agreement and giving guidance to and coordinating the activities of the civilian organizations and agencies involved in assisting the parties to implement the Peace Agreement, and reaffirms that, under annex 10 of the Peace Agreement, the High Representative is the final authority in theatre regarding the interpretation of civilian implementation of the Peace Agreement and that, in case of dispute, he may give his interpretation and make recommendations, and make binding decisions as he judges necessary on issues as elaborated by the Peace Implementation Council in Bonn, Germany, on 9 and 10 December 1997;[111]

5. *Expresses its support* for the declarations of the ministerial meetings of the Peace Implementation Council;

6. *Reaffirms* its intention to keep implementation of the Peace Agreement and the situation in Bosnia and Herzegovina under close review, taking into account the reports submitted pursuant to paragraphs 18 and 21 below, and any recommendations those reports might include, and its readiness to consider the imposition of measures if any party fails significantly to meet its obligations under the Peace Agreement;

7. *Recalls* the support of the authorities of Bosnia and Herzegovina for the European Union Force and the continued North Atlantic Treaty Organization presence and their confirmation that both are the legal successors to the Stabilization Force for the fulfilment of their missions for the purposes of the Peace Agreement, its annexes and appendices and relevant Security Council resolutions and can take such actions as are required, including the use of force, to ensure compliance with annexes 1-A and 2 of the Peace Agreement and relevant Council resolutions;

8. *Pays tribute* to those Member States which participated in the multinational stabilization force (the European Union Force), and in the continued North Atlantic Treaty Organization presence, established in accordance with its resolution 1575 (2004) and extended by its resolutions 1639 (2005), 1722 (2006), 1785 (2007) and 1845 (2008), and welcomes their willingness to assist the parties to the Peace Agreement by continuing to deploy a multinational stabilization force (the European Union Force) and by maintaining a continued North Atlantic Treaty Organization presence;

9. *Welcomes* the intention of the European Union to maintain a European Union military operation to Bosnia and Herzegovina from November 2009;

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[111] See S/1997/979, annex.

10. *Authorizes* the Member States acting through or in cooperation with the European Union to establish for a further period of twelve months, starting from the date of the adoption of the present resolution, a multinational stabilization force (the European Union Force) as a legal successor to the Stabilization Force under unified command and control, which will fulfil its missions in relation to the implementation of annexes 1-A and 2 of the Peace Agreement in cooperation with the North Atlantic Treaty Organization Headquarters presence in accordance with the arrangements agreed between the North Atlantic Treaty Organization and the European Union as communicated to the Security Council in their letters of 19 November 2004,[108] which recognize that the European Union Force will have the main peace stabilization role under the military aspects of the Peace Agreement;

11. *Welcomes* the decision of the North Atlantic Treaty Organization to continue to maintain a presence in Bosnia and Herzegovina in the form of a North Atlantic Treaty Organization Headquarters in order to continue to assist in implementing the Peace Agreement in conjunction with the European Union Force, and authorizes the Member States acting through or in cooperation with the North Atlantic Treaty Organization to continue to maintain a North Atlantic Treaty Organization Headquarters as a legal successor to the Stabilization Force under unified command and control, which will fulfil its missions in relation to the implementation of annexes 1-A and 2 of the Peace Agreement in cooperation with the European Union Force in accordance with the arrangements agreed between the North Atlantic Treaty Organization and the European Union as communicated to the Security Council in their letters of 19 November 2004, which recognize that the European Union Force will have the main peace stabilization role under the military aspects of the Peace Agreement;

12. *Reaffirms* that the Peace Agreement and the provisions of its previous relevant resolutions shall apply to and in respect of both the European Union Force and the North Atlantic Treaty Organization presence as they have applied to and in respect of the Stabilization Force and that, therefore, references in the Peace Agreement, in particular in annex 1-A and the appendices thereto, and in relevant resolutions to the Implementation Force and/or the Stabilization Force, the North Atlantic Treaty Organization and the North Atlantic Council shall be read as applying, as appropriate, to the North Atlantic Treaty Organization presence, the European Union Force, the European Union and the Political and Security Committee and Council of the European Union respectively;

13. *Expresses its intention* to consider the terms of further authorization as necessary in the light of developments in the implementation of the Peace Agreement and the situation in Bosnia and Herzegovina;

14. *Authorizes* the Member States acting under paragraphs 10 and 11 above to take all necessary measures to effect the implementation of and to ensure compliance with annexes 1-A and 2 of the Peace Agreement, stresses that the parties shall continue to be held equally responsible for the compliance with those annexes and shall be equally subject to such enforcement action by the European Union Force and the North Atlantic Treaty Organization presence as may be necessary to ensure the implementation of those annexes and the protection of the European Union Force and the North Atlantic Treaty Organization presence;

15. *Authorizes* Member States to take all necessary measures, at the request of either the European Union Force or the North Atlantic Treaty Organization Headquarters, in defence of the European Union Force or the North Atlantic Treaty Organization presence respectively, and to assist both organizations in carrying out their missions, and recognizes the right of both the European Union Force and the North Atlantic Treaty Organization presence to take all necessary measures to defend themselves from attack or threat of attack;

16. *Authorizes* the Member States acting under paragraphs 10 and 11 above, in accordance with annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

17. *Demands* that the parties respect the security and freedom of movement of the European Union Force, the North Atlantic Treaty Organization presence and other international personnel;

18. *Requests* the Member States acting through or in cooperation with the European Union and the Member States acting through or in cooperation with the North Atlantic Treaty Organization to report to the Security Council on the activity of the European Union Force and the North Atlantic Treaty Organization Headquarters presence respectively, through the appropriate channels and at least at three-monthly intervals;

19. *Invites* all States, in particular those in the region, to continue to provide appropriate support and facilities, including transit facilities, for the Member States acting under paragraphs 10 and 11 above;

20. *Reiterates its appreciation* for the deployment by the European Union of its Police Mission to Bosnia and Herzegovina since 1 January 2003;

21. *Requests* the Secretary-General to continue to submit to the Security Council reports of the High Representative, in accordance with annex 10 of the Peace Agreement and the conclusions of the Peace Implementation Conference held in London on 4 and 5 December 1996,[112] and later Peace Implementation Conferences, on the implementation of the Peace Agreement and, in particular, on compliance by the parties with their commitments under that Agreement;

22. *Decides* to remain seized of the matter.

Adopted unanimously at the 6220th meeting.

Decisions

At its 6222nd meeting, on 23 November 2009, the Security Council decided to invite the representatives of Bosnia and Herzegovina (Chair of the Council of Ministers), Serbia and Sweden to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

> "Letter dated 12 November 2009 from the Secretary-General addressed to the President of the Security Council (S/2009/588)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Valentin Inzko, High Representative for Bosnia and Herzegovina.

At its 6319th meeting, on 24 May 2010, the Council decided to invite the representatives of Croatia and Serbia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

> "Letter dated 14 May 2010 from the Secretary-General addressed to the President of the Security Council (S/2010/235)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Valentin Inzko, High Representative for Bosnia and Herzegovina.

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[112] See S/1996/1012, annex.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Pedro Serrano, Acting Head of the Delegation of the European Union to the United Nations.

B. Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)[113]

Decisions

At its 6202nd meeting, on 15 October 2009, the Security Council decided to invite the representative of Serbia (Minister for Foreign Affairs) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
> > "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2009/497)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Lamberto Zannier, Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Skender Hyseni.

At its 6264th meeting, on 22 January 2010, the Council decided to invite the representative of Serbia (President) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
> > "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2010/5)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Lamberto Zannier, Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Skender Hyseni.

At its 6314th meeting, on 17 May 2010, the Council decided to invite the representative of Serbia (Minister for Foreign Affairs) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
> > "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2010/169)".

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[113] Resolutions or decisions on this question were first adopted by the Security Council in 1998.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Lamberto Zannier, Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Skender Hyseni.

At its 6353rd meeting, on 6 July 2010, the Council decided to invite the representative of Serbia (President) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
> > "Letter dated 2 July 2010 from the Permanent Representative of Serbia to the United Nations addressed to the President of the Security Council (S/2010/355)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Lamberto Zannier, Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Yves de Kermabon, Head of the European Union Rule of Law Mission in Kosovo.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Skender Hyseni.

C. International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[114]

Decision

At its 6242nd meeting, on 16 December 2009, the Security Council considered the item entitled:

> "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991
>
> > "Letter dated 28 October 2009 from the Secretary-General addressed to the President of the Security Council (S/2009/570)".

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[114] Resolutions or decisions on this question were first adopted by the Security Council in 1993.

Resolution 1900 (2009)
of 16 December 2009[115]

The Security Council,

Taking note of the letter dated 28 October 2009 from the Secretary-General to the President of the Security Council, attaching the letter dated 29 September 2009 from the President of the International Tribunal for the Former Yugoslavia ("the International Tribunal"),[116]

Recalling its resolutions 827 (1993) of 25 May 1993, 1581 (2005) of 18 January 2005, 1597 (2005) of 20 April 2005, 1613 (2005) of 26 July 2005, 1629 (2005) of 30 September 2005, 1660 (2006) of 28 February 2006, 1668 (2006) of 10 April 2006, 1800 (2008) of 20 February 2008, 1837 (2008) of 29 September 2008, 1849 (2008) of 12 December 2008 and 1877 (2009) of 7 July 2009,

Recalling in particular its resolutions 1503 (2003) of 28 August 2003 and 1534 (2004) of 26 March 2004, in which the Council called upon the International Tribunal to take all possible measures to complete investigations by the end of 2004, to complete all trial activities at first instance by the end of 2008 and to complete all work in 2010,

Taking note of the assessment of the International Tribunal in its completion strategy report[117] that the International Tribunal will not be in a position to complete all its work in 2010,

Recalling that, in resolution 1877 (2009), the Council extended the term of office of permanent judges and ad litem judges until 31 December 2010, or until the completion of the cases to which they are assigned, if sooner, and decided to review the extension of the term of office of the permanent judges at the International Tribunal, who are members of the Appeals Chamber, by 31 December 2009, in the light of the progress of the International Tribunal in the implementation of the completion strategy,

Convinced of the advisability of allowing the total number of ad litem judges serving at the International Tribunal to temporarily exceed the maximum of twelve provided for in article 12, paragraph 1, of the statute of the International Tribunal,

Urging the International Tribunal to take all possible measures to complete its work expeditiously,

Acting under Chapter VII of the Charter of the United Nations,

1. *Underlines its intention* to extend, by 30 June 2010, the terms of office of all trial judges at the International Tribunal based on the International Tribunal's projected trial schedule and the terms of office of all appeals judges until 31 December 2012, or until the completion of the cases to which they are assigned, if sooner, and requests the President of the International Tribunal to submit to the Security Council an updated trial and appeals schedule, including information on the judges for whom extension of the terms of office or redeployment to the Appeals Chamber will be sought;

2. *Decides* that, notwithstanding the expiry of their terms of office on 31 December 2009, Judges Kimberly Prost (Canada) and Ole Bjørn Støle (Norway) shall complete the *Popović* case, which they began before the expiry of their terms of office, and takes note of the intention of the International Tribunal to complete the case before the end of March 2010;

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[115] By a letter dated 22 December 2009 (A/64/591), the President of the Security Council transmitted the text of resolution 1900 (2009) to the President of the General Assembly.

[116] S/2009/570.

[117] See S/2009/589.

3. *Also decides*, in this regard, that the total number of ad litem judges serving at the International Tribunal may temporarily exceed the maximum of twelve provided for in article 12, paragraph 1, of the statute of the International Tribunal, to a maximum of thirteen at any one time, returning to a maximum of twelve by 31 March 2010;

4. *Further decides* to allow ad litem Judges Prost and Støle to serve at the International Tribunal beyond the cumulative period of service provided for under article 13 ter, paragraph 2, of the statute of the International Tribunal;

5. *Decides* to remain seized of the matter.

Adopted unanimously at the 6242nd meeting.

Decision

At its 6286th meeting, on 18 March 2010, the Security Council considered the item entitled:

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

> "Letter dated 15 March 2010 from the Secretary-General addressed to the President of the Security Council (S/2010/133)".

Resolution 1915 (2010)
of 18 March 2010[118]

The Security Council,

Taking note of the letter dated 15 March 2010 from the Secretary-General to the President of the Security Council, attaching the letter dated 1 March 2010 from the President of the International Tribunal for the Former Yugoslavia ("the International Tribunal"),[119]

Recalling its resolutions 827 (1993) of 25 May 1993, 1581 (2005) of 18 January 2005, 1597 (2005) of 20 April 2005, 1613 (2005) of 26 July 2005, 1629 (2005) of 30 September 2005, 1660 (2006) of 28 February 2006, 1668 (2006) of 10 April 2006, 1800 (2008) of 20 February 2008, 1837 (2008) of 29 September 2008, 1849 (2008) of 12 December 2008, 1877 (2009) of 7 July 2009 and 1900 (2009) of 16 December 2009,

Recalling also that, in resolution 1900 (2009), the Council decided that, notwithstanding the expiry of their terms of office on 31 December 2009, Judges Kimberly Prost (Canada) and Ole Bjørn Støle (Norway) should complete the *Popović* case, and that the total number of ad litem judges serving at the International Tribunal might temporarily exceed the maximum of twelve provided for in article 12, paragraph 1, of the statute of the International Tribunal, to a maximum of thirteen at any one time, returning to a maximum of twelve by 31 March 2010,

Taking note of the fact that, owing to unforeseen circumstances, the delivery of the judgment in the *Popović* case is delayed and will not be rendered by the end of March 2010,

Convinced of the advisability of allowing the total number of ad litem judges serving at the International Tribunal to temporarily exceed the maximum of twelve provided for in article 12, paragraph 1, of the statute of the International Tribunal,

Urging the International Tribunal to take all possible measures to complete its work expeditiously,

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[118] By a letter dated 19 March 2010 (A/64/727), the President of the Security Council transmitted the text of resolution 1915 (2010) to the President of the General Assembly.

[119] S/2010/133.

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the total number of ad litem judges serving at the International Tribunal may temporarily exceed the maximum of twelve provided for in article 12, paragraph 1, of the statute of the International Tribunal, to a maximum of thirteen at any one time, returning to a maximum of twelve by 30 June 2010, or upon completion of the *Popović* case, if sooner;

2. *Decides also* to remain seized of the matter.

Adopted unanimously at the 6286th meeting.

Decision

At its 6348th meeting, on 29 June 2010, the Security Council considered the item entitled:

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

> "Identical letters dated 18 June 2010 from the Secretary-General addressed to the President of the General Assembly and the President of the Security Council (S/2010/330)".

Resolution 1931 (2010)
of 29 June 2010[120]

The Security Council,

Taking note of the letter dated 18 June 2010 from the Secretary-General to the President of the Security Council, attaching the letter dated 31 May 2010 from the President of the International Tribunal for the Former Yugoslavia ("the International Tribunal"),[121]

Recalling its resolutions 827 (1993) of 25 May 1993, 1581 (2005) of 18 January 2005, 1597 (2005) of 20 April 2005, 1613 (2005) of 26 July 2005, 1629 (2005) of 30 September 2005, 1660 (2006) of 28 February 2006, 1668 (2006) of 10 April 2006, 1800 (2008) of 20 February 2008, 1837 (2008) of 29 September 2008, 1849 (2008) of 12 December 2008, 1877 (2009) of 7 July 2009, 1900 (2009) of 16 December 2009 and 1915 (2010) of 18 March 2010,

Recalling in particular its resolutions 1503 (2003) of 28 August 2003 and 1534 (2004) of 26 March 2004, in which the Council called upon the International Tribunal to take all possible measures to complete investigations by the end of 2004, to complete all trial activities at first instance by the end of 2008 and to complete all work in 2010,

Taking note of the assessments of the International Tribunal in its completion strategy report[122] that the International Tribunal will not be in a position to complete all its work in 2010 and of the obstacles faced by the International Tribunal, and expressing its concern in this regard,

Noting the concerns expressed by the President of the International Tribunal about the loss of experienced staff, and affirming that staff retention is essential for the timely completion of the work of the International Tribunal,

Recalling that, in resolution 1900 (2009), the Council underlined its intention to extend, by 30 June 2010, the terms of office of all trial judges at the International Tribunal based on the International Tribunal's projected trial schedule and the terms of office of all appeals judges until 31 December 2012, or until the completion of the cases to which they are assigned, if sooner, and requested the President of the International Tribunal to submit to the Council an updated trial and appeals schedule, including information on the judges for whom extension of the terms of office or redeployment to the Appeals Chamber would be sought,

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[120] By a letter dated 29 June 2010 (A/64/861), the President of the Security Council transmitted the text of resolution 1931 (2010) to the President of the General Assembly.

[121] S/2010/330.

[122] See S/2010/270.

Recalling also that, pursuant to article 14, paragraph 3, of the statute of the International Tribunal, as amended by resolution 1877 (2009), the term of office of each judge redeployed to the Appeals Chamber shall be the same as the term of office of the judges serving in the Appeals Chamber,

Convinced of the advisability of permitting nine ad litem judges to serve at the International Tribunal beyond the cumulative period of three years provided for in article 13 ter, paragraph 2, of the statute of the International Tribunal,

Noting that one permanent judge and three of the ad litem judges currently serving at the International Tribunal will leave before the end of 2010 upon the completion of their respective cases,

Taking note of the updated trial and appeals schedule submitted by the President of the International Tribunal,[121]

Acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* the necessity of trial of persons indicted by the International Tribunal, and reiterates its call upon all States, especially the States of the former Yugoslavia, to intensify cooperation with and render all necessary assistance to the International Tribunal, and, in particular, calls for the arrest of Mr. Ratko Mladić and Mr. Goran Hadžić, as well as other indictees of the International Tribunal;

2. *Notes* the importance of the International Tribunal being adequately staffed to complete its work expeditiously, calls upon the Secretariat and other relevant United Nations bodies to continue to work with the Registrar of the International Tribunal in order to find practicable solutions to address this issue as the International Tribunal approaches the completion of its work, and at the same time calls upon the International Tribunal to renew its efforts to focus on its core functions;

3. *Decides* to extend the term of office of the following permanent judges at the International Tribunal, who are members of the Appeals Chamber, until 31 December 2012 or until the completion of the cases to which they are assigned or until the completion of their term as members of the Appeals Chamber, if sooner:

- Mr. Carmel A. Agius (Malta)
- Mr. Liu Daqun (China)
- Mr. Theodor Meron (United States of America)
- Mr. Fausto Pocar (Italy)
- Mr. Patrick Lipton Robinson (Jamaica)

4. *Decides also* to extend the term of office of the following permanent judges at the International Tribunal, who are members of the Trial Chamber, until 31 December 2011 or until the completion of the cases to which they are assigned, if sooner:

- Mr. Jean-Claude Antonetti (France)
- Mr. Guy Delvoie (Belgium)
- Mr. Christoph Flügge (Germany)
- Mr. Burton Hall (Bahamas)
- Mr. O-gon Kwon (Republic of Korea)
- Mr. Bakone Melema Moloto (South Africa)
- Mr. Howard Morrison (United Kingdom of Great Britain and Northern Ireland)
- Mr. Alphonsus Martinus Maria Orie (Netherlands)

5. *Decides further* to extend the term of office of the following ad litem judges at the International Tribunal, who are members of the Trial Chamber, until 31 December 2011 or until the completion of the cases to which they are assigned, if sooner:

- Mr. Melville Baird (Trinidad and Tobago)
- Mr. Pedro David (Argentina)
- Ms. Elizabeth Gwaunza (Zimbabwe)
- Mr. Frederik Harhoff (Denmark)
- Ms. Flavia Lattanzi (Italy)
- Mr. Antoine Kesia-Mbe Mindua (Democratic Republic of the Congo)
- Ms. Prisca Matimba Nyambe (Zambia)
- Ms. Michèle Picard (France)
- Mr. Árpád Prandler (Hungary)
- Mr. Stefan Trechsel (Switzerland)

6. *Underlines its intention* to extend, by 30 June 2011, the terms of office of the trial judges at the International Tribunal based on the International Tribunal's projected trial schedule, and requests the President of the International Tribunal to submit to the Security Council an updated trial and appeals schedule no later than 15 May 2011;

7. *Decides* to allow ad litem Judges Baird, David, Gwaunza, Harhoff, Lattanzi, Mindua, Picard, Prandler and Trechsel to serve at the International Tribunal beyond the cumulative period of service provided for under article 13 ter, paragraph 2, of the statute of the International Tribunal;

8. *Urges* the International Tribunal to complete its work expeditiously;

9. *Decides* to remain seized of the matter.

Adopted unanimously at the 6348th meeting.

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR GENOCIDE AND OTHER SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES BETWEEN 1 JANUARY 1994 AND 31 DECEMBER 1994[123]

Decisions

On 4 August 2009, the President of the Security Council addressed the following letter to the Secretary-General:[124]

> "I have the honour to inform you that your letter dated 31 July 2009 concerning the composition of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January

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[123] Resolutions or decisions on this question were first adopted by the Security Council in 1996.

[124] S/2009/404.

1994 and 31 December 1994[125] has been brought to the attention of the members of the Security Council. The members of the Council support your intention to appoint Professor Bakhtiyar Tuzmukhamedov as a permanent judge of the International Tribunal."

At its 6243rd meeting, on 16 December 2009, the Council considered the item entitled:

"International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994

"Letter dated 2 November 2009 from the Secretary-General addressed to the President of the Security Council (S/2009/571)

"Letter dated 23 November 2009 from the Secretary-General addressed to the President of the Security Council (S/2009/601)".

Resolution 1901 (2009)
of 16 December 2009[126]

The Security Council,

Taking note of the letters dated 2 and 23 November 2009 from the Secretary-General to the President of the Security Council attaching letters dated 15 October and 6 November 2009, respectively, from the President of the International Criminal Tribunal for Rwanda ("the International Tribunal"),[127]

Recalling its resolutions 955 (1994) of 8 November 1994, 1165 (1998) of 30 April 1998, 1329 (2000) of 30 November 2000, 1411 (2002) of 17 May 2002, 1431 (2002) of 14 August 2002, 1717 (2006) of 13 October 2006, 1824 (2008) of 18 July 2008, 1855 (2008) of 19 December 2008 and 1878 (2009) of 7 July 2009,

Recalling in particular its resolutions 1503 (2003) of 28 August 2003 and 1534 (2004) of 26 March 2004, in which the Council called upon the International Tribunal to take all possible measures to complete investigations by the end of 2004, to complete all trial activities at first instance by the end of 2008 and to complete all work in 2010,

Taking note of the assessment by the International Tribunal in its completion strategy report[128] that the International Tribunal will not be in a position to complete all its work in 2010,

Recalling that, in resolution 1878 (2009), the Council extended the term of office of permanent judges and ad litem judges, who are members of the Trial Chambers, until 31 December 2010, or until the completion of the cases to which they are assigned, if sooner, and decided to review the extension of the term of office of the permanent judges at the International Tribunal, who are members of the Appeals Chamber, by 31 December 2009, in the light of the progress of the International Tribunal in the implementation of its completion strategy,

Convinced of the advisability of extending the authorization granted to the Secretary-General in resolution 1855 (2008) to appoint ad litem judges additional to the nine ad litem judges authorized by the statute of the International Tribunal, as a temporary measure to enable the International Tribunal to complete trials and conduct additional trials as soon as possible in order to meet the goals of the completion strategy,

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[125] S/2009/403.

[126] By a letter dated 22 December 2009 (A/64/590), the President of the Security Council transmitted the text of resolution 1901 (2009) to the President of the General Assembly.

[127] S/2009/571 and S/2009/601.

[128] S/2009/587, enclosure.

Urging the International Tribunal to take all possible measures to complete its work expeditiously,

Acting under Chapter VII of the Charter of the United Nations,

1. *Underlines its intention* to extend, by 30 June 2010, the terms of office of all trial judges at the International Tribunal based on the International Tribunal's projected trial schedule and the terms of office of all appeals judges until 31 December 2012, or until the completion of the cases to which they are assigned, if sooner, and requests the President of the International Tribunal to submit to the Security Council an updated trial and appeals schedule, including information on the judges for whom extension of the terms of office or redeployment to the Appeals Chamber will be sought;

2. *Decides* that, in order for the International Tribunal to complete existing trials or conduct additional trials, the total number of ad litem judges serving at the International Tribunal may from time to time temporarily exceed the maximum of nine provided for in article 11, paragraph 1, of the statute of the International Tribunal, to a maximum of twelve at any one time, returning to a maximum of nine by 31 December 2010;

3. *Decides also* that, notwithstanding the expiry of his term of office on 31 December 2009, Judge Erik Møse shall complete the *Setako* case, which he began before the expiry of his term of office, and takes note of the intention of the International Tribunal to complete the case before the end of February 2010;

4. *Decides further* to remain seized of the matter.

Adopted unanimously at the 6243rd meeting.

Decision

At its 6349th meeting, on 29 June 2010, the Security Council considered the item entitled:

"International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994

> "Identical letters dated 2 June 2010 from the Secretary-General addressed to the President of the General Assembly and the President of the Security Council (S/2010/289)".

Resolution 1932 (2010)
of 29 June 2010[129]

The Security Council,

Taking note of the letter dated 2 June 2010 from the Secretary-General to the President of the Security Council, attaching a letter dated 25 May 2010 from the President of the International Criminal Tribunal for Rwanda ("the International Tribunal"),[130]

Recalling its resolutions 955 (1994) of 8 November 1994, 1165 (1998) of 30 April 1998, 1329 (2000) of 30 November 2000, 1411 (2002) of 17 May 2002, 1431 (2002) of 14 August 2002, 1717 (2006) of 13 October 2006, 1824 (2008) of 18 July 2008, 1855 (2008) of 19 December 2008, 1878 (2009) of 7 July 2009 and 1901 (2009) of 16 December 2009,

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[129] By a letter dated 29 June 2010 (A/64/862), the President of the Security Council transmitted the text of resolution 1932 (2010) to the President of the General Assembly.

[130] S/2010/289.

Recalling in particular its resolutions 1503 (2003) of 28 August 2003 and 1534 (2004) of 26 March 2004, in which the Council called upon the International Tribunal to take all possible measures to complete investigations by the end of 2004, to complete all trial activities at first instance by the end of 2008 and to complete all work in 2010,

Taking note of the assessments by the International Tribunal in its completion strategy report[131] that the International Tribunal will not be in a position to complete all its work in 2010, and of the obstacles faced by the International Tribunal, and expressing its concern in this regard,

Noting the concerns expressed by the President of the International Tribunal about the loss of experienced staff, and affirming that staff retention is essential for the timely completion of the work of the International Tribunal,

Recalling that, in resolution 1901 (2009), the Council underlined its intention to extend, by 30 June 2010, the terms of office of all trial judges at the International Tribunal based on the International Tribunal's projected trial schedule and the terms of office of all appeals judges until 31 December 2012, or until the completion of the cases to which they are assigned, if sooner, and requested the President of the International Tribunal to submit to the Council an updated trial and appeals schedule, including information on the judges for whom extension of the terms of office or redeployment to the Appeals Chamber would be sought,

Recalling also that, pursuant to article 13, paragraph 3, of the statute of the International Tribunal, as amended by resolution 1878 (2009), the term of office of each judge redeployed to the Appeals Chamber shall be the same as the term of office of the judges serving in the Appeals Chamber,

Noting that one permanent judge and two of the ad litem judges currently serving at the International Tribunal will leave before the end of 2010 upon the completion of their respective cases,

Taking note of the updated trial and appeals schedule submitted by the President of the International Tribunal,[130]

Taking note also of the submission by the President of the International Tribunal of a report of the Prosecutor on the lack of cooperation of Kenya in the case of Mr. Félicien Kabuga, as well as the statement and pledge to cooperate made by Kenya at a meeting of the Council on 18 June 2010,[132]

Acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* the necessity of trial of persons indicted by the International Tribunal, and reiterates its call upon all States, especially the States of the Great Lakes region, to intensify cooperation with and render all necessary assistance to the International Tribunal, and, in particular, calls upon relevant States to increase their efforts to bring Mr. Félicien Kabuga, Mr. Augustin Bizimana, Mr. Protais Mpiranya and other indictees of the International Tribunal to justice;

2. *Notes* the importance of the International Tribunal being adequately staffed to complete its work expeditiously, calls upon the Secretariat and other relevant United Nations bodies to continue to work with the Registrar of the International Tribunal in order to find practicable solutions to address this issue as the International Tribunal approaches the completion of its work, and at the same time calls upon the International Tribunal to renew its efforts to focus on its core functions;

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[131] S/2010/259, enclosure.

[132] See S/PV.6342.

3. *Decides* to extend the term of office of the following permanent judges at the International Tribunal, who are members of the Appeals Chamber, until 31 December 2012 or until the completion of the cases to which they are assigned, if sooner:

Mr. Mehmet Güney (Turkey)

Ms. Andrésia Vaz (Senegal)

4. *Decides also* to extend the term of office of the following permanent judges at the International Tribunal, who are members of the Trial Chamber, until 31 December 2011 or until the completion of the cases to which they are assigned, if sooner:

Sir Charles Michael Dennis Byron (Saint Kitts and Nevis)

Ms. Khalida Rachid Khan (Pakistan)

Ms. Arlette Ramaroson (Madagascar)

Mr. William H. Sekule (United Republic of Tanzania)

Mr. Bakhtiyar Tuzmukhamedov (Russian Federation)

5. *Decides further* to extend the term of office of the following ad litem judges at the International Tribunal, who are members of the Trial Chamber, until 31 December 2011 or until the completion of the cases to which they are assigned, if sooner:

Mr. Aydin Sefa Akay (Turkey)

Ms. Florence Rita Arrey (Cameroon)

Ms. Solomy Balungi Bossa (Uganda)

Mr. Vagn Joensen (Denmark)

Mr. Gberdao Gustave Kam (Burkina Faso)

Mr. Lee Gacuiga Muthoga (Kenya)

Mr. Seon Ki Park (Republic of Korea)

Mr. Mparany Mamy Richard Rajohnson (Madagascar)

Mr. Emile Francis Short (Ghana)

6. *Decides* to amend article 12 ter of the statute of the International Tribunal as set out in the annex to the present resolution;

7. *Urges* the International Tribunal to complete its work expeditiously;

8. *Decides* to remain seized of the matter.

Adopted unanimously at the 6349th meeting.

Annex

Article 12 ter: Election and appointment of ad litem judges

3. If there are no ad litem judges remaining on the roster or if no ad litem judge on the roster is available for appointment, and if it is not possible to assign a judge currently serving at the International Tribunal, and all practical alternatives having been explored, the Secretary-General may, at the request of the President of the International Tribunal, appoint a former permanent or ad litem judge of the International Tribunal or of the International Tribunal for the Former Yugoslavia to serve as an ad litem judge in the Trial Chambers for one or more trials.

INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR GENOCIDE AND OTHER SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES BETWEEN 1 JANUARY 1994 AND 31 DECEMBER 1994[133]

Decisions

On 28 September 2009, the President of the Security Council addressed the following letter to the Secretary-General:[134]

> "On behalf of the members of the Security Council, I have the honour to express our sincere gratitude for the preparation of the report of the Secretary-General of 21 May 2009 on the administrative and budgetary aspects of the options for possible locations for the archives of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda and the seat of the residual mechanism(s) for the Tribunals.[135]
>
> "Referring to recommendations (*l*) and (*m*) in paragraph 259 of the report, I would like to confirm that the members of the Council welcome those recommendations and request that the Secretary-General write to the Presidents of the Tribunals to ask that they ensure that the tasks listed in recommendation (*l*) are carried out as part of their completion strategies, and that they report to the Council on their progress in implementing those tasks, as set out in recommendation (*m*), as part of their regular reporting on the completion strategies. In relation to recommendation (*l*) (ii), the members of the Council wish to emphasize that the Tribunals are requested to consider and report in detail on the possible ways to review witness protection orders and decisions with a view to withdrawing or varying those that are no longer necessary, as well as on concrete steps to be taken by the Tribunals towards this end.
>
> "I would be most grateful if you could write to the Presidents of the Tribunals in the above terms."

At its 6228th meeting, on 3 December 2009, the Council decided to invite the representatives of Bosnia and Herzegovina, Kenya, Rwanda, Serbia and Sweden to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991
>
> "International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994

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[133] Resolutions or decisions on this question were first adopted by the Security Council in 1993.

[134] S/2009/496.

[135] S/2009/258.

> > "Letter dated 12 November 2009 from the President of the International Criminal Tribunal for Rwanda addressed to the President of the Security Council (S/2009/587)
>
> > "Letter dated 12 November 2009 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the President of the Security Council (S/2009/589)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Judge Patrick Robinson, President of the International Tribunal for the Former Yugoslavia, Judge Dennis Byron, President of the International Criminal Tribunal for Rwanda, Mr. Serge Brammertz, Prosecutor of the International Tribunal for the Former Yugoslavia, and Mr. Hassan Bubacar Jallow, Prosecutor of the International Criminal Tribunal for Rwanda.

At its 6342nd meeting, on 18 June 2010, the Council decided to invite the representatives of Croatia, Kenya, Rwanda and Serbia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991
>
> "International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994
>
> > "Letter dated 31 May 2010 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the President of the Security Council (S/2010/270)
>
> > "Letter dated 28 May 2010 from the President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994 addressed to the President of the Security Council (S/2010/259)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Judge Patrick Robinson, President of the International Tribunal for the Former Yugoslavia, Judge Dennis Byron, President of the International Criminal Tribunal for Rwanda, Mr. Serge Brammertz, Prosecutor of the International Tribunal for the Former Yugoslavia, and Mr. Hassan Bubacar Jallow, Prosecutor of the International Criminal Tribunal for Rwanda.

THE QUESTION CONCERNING HAITI[136]

Decisions

At its 6186th meeting, on 9 September 2009, the Security Council decided to invite the representatives of Argentina, Brazil, Canada, Chile, Colombia, Cuba, the Dominican Republic, Ecuador, Guatemala, Haiti (Prime Minister), Jamaica, Norway, Peru, Spain, Sweden, Uruguay and Venezuela (Bolivarian Republic of) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The question concerning Haiti

> "Report of the Secretary-General on the United Nations Stabilization Mission in Haiti (S/2009/439)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. William J. Clinton, United Nations Special Envoy for Haiti, and Mr. Hédi Annabi, Special Representative of the Secretary-General for Haiti and Head of the United Nations Stabilization Mission in Haiti.

At its 6200th meeting, on 13 October 2009, the Council decided to invite the representatives of Argentina, Brazil, Canada, Chile, Colombia, Guatemala, Haiti, Peru, Spain and Uruguay to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The question concerning Haiti

> "Report of the Secretary-General on the United Nations Stabilization Mission in Haiti (S/2009/439)".

Resolution 1892 (2009)
of 13 October 2009

The Security Council,

Reaffirming its previous resolutions on Haiti, in particular resolutions 1542 (2004) of 30 April 2004, 1576 (2004) of 29 November 2004, 1608 (2005) of 22 June 2005, 1658 (2006) of 14 February 2006, 1702 (2006) of 15 August 2006, 1743 (2007) of 15 February 2007, 1780 (2007) of 15 October 2007 and 1840 (2008) of 14 October 2008,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Haiti, welcoming the progress achieved so far in critical areas for the consolidation of Haiti's stability, reaffirming its support to the Government of Haiti, and welcoming its contribution to political stability and the consolidation of democracy in Haiti,

Welcoming the recent progress made towards enhanced governance, including through the election of new Senators with the support of the United Nations Stabilization Mission in Haiti and other stakeholders and towards the adoption of the constitutional reform, stressing the importance of establishing credible, competent, transparent and accountable governance and encouraging the Government of Haiti to further strengthen State institutions, and emphasizing the need to continue international efforts to reinforce the capacities of the Government and its State institutions,

Encouraging the Government of Haiti and all the other relevant Haitian actors to strengthen democratic dialogue and forge the widest and most inclusive consensus possible, recognizing that leadership and constant political will of the Government among the relevant Haitian actors is needed to strengthen governance and national capacities to address the highest-priority issues in its national agenda,

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[136] Resolutions or decisions on this question were first adopted by the Security Council in 1993.

Emphasizing the need for increased efforts to support the participation of women in the political process,

Emphasizing also the role of regional organizations in the ongoing process of stabilization and reconstruction in Haiti, calling upon the Mission to continue to work closely with the Organization of American States and the Caribbean Community, and taking note of the joint communiqué issued by the 2 x 9 Mechanism on Haiti on 28 September 2009,[137]

Recognizing the interconnected nature of the challenges in Haiti, reaffirming that sustainable progress on security, the rule of law and institutional reform, national reconciliation and development is mutually reinforcing, and welcoming the continuing efforts of the Government of Haiti and the international community to address these challenges,

Reiterating the need for security to be accompanied by social and economic development as a way for Haiti to achieve lasting stability,[138]

Recognizing that respect for human rights, due process, addressing the issue of criminality and putting an end to impunity are essential to ensuring the rule of law and security in Haiti,

Commending the Mission for continuing to assist the Government of Haiti to ensure a secure and stable environment, expressing its gratitude to the personnel of the Mission and to their countries, and paying tribute to those injured or killed in the line of duty,

Acknowledging some improvements in the security situation in the last year, but noting that the security situation remains fragile,

Acknowledging also the continued support of the Organization of American States to modernizing the Haitian voter registry, and calling upon the Haitian authorities, with the continued support of the Mission and the international community, to establish permanent and effective electoral institutions and to hold elections consistent with Haiti's constitutional and legal requirements,

Calling upon the Government of Haiti, in coordination with the international community, to continue to advance security sector reform, in particular as called for in the Haitian National Police Reform Plan adopted by the Government,[139]

Underlining the need to accelerate the steps taken towards strengthening the judicial system in accordance with the national justice reform plan, including judicial institution modernization and improvement in the access to justice,

Supporting the initial recommendations of the Consultative Commission on Prolonged Pretrial Detention, and stressing the need to address the situation of the majority of Haitian prisoners,

Recognizing the devastation that has been suffered by the people of Haiti during the previous hurricane seasons, acknowledging the challenges faced by the Government of Haiti in responding to the humanitarian and other needs of its people, welcoming the efforts undertaken by the Haitian authorities and the contribution of the international community in this regard, and stressing the importance for future actions in this regard to be fully coordinated among donors and partners of Haiti, with the Government as well as within the United Nations system,

Recognizing also that external economic impacts such as the food, fuel, financial and economic crises continue to pose a significant threat to the overall process of stabilization in Haiti,

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[137] S/2009/509, annex.

[138] See S/PRST/2009/4.

[139] S/2006/726, enclosure.

Welcoming the appointment of the former President of the United States of America, Mr. William J. Clinton, as the United Nations Special Envoy for Haiti,

Underlining the need for the quick implementation of highly effective and visible labour-intensive projects that help to create jobs and deliver basic social services that contribute to increased support of the Mission by the Haitian population,

Recognizing the importance of long-term commitment of international donors and partners of Haiti, and encouraging them to continue strengthening their assistance in a coordinated way, aligned to Haitian national priorities,

Underlining the need for the Government of Haiti and the Parliament to work together in devising a legislative and regulatory environment to generate economic activity and create jobs with a view to promoting growth and reducing poverty,

Welcoming the report of the Secretary-General of 1 September 2009,[140]

Taking note of the report of the Ad Hoc Advisory Group on Haiti of the Economic and Social Council,[141]

Welcoming the efforts of the Secretary-General to keep peacekeeping operations, including the Mission, under review, and stressing the need for the Security Council to pursue a strategic approach to peacekeeping deployments in partnership with troop- and police-contributing countries and other relevant stakeholders, consistent with the statement by its President of 5 August 2009 on United Nations peacekeeping operations,[142]

Recalling the statements by its President of 22 July[143] and 5 August 2009, which emphasized the need for coherence between, and integration of, peacemaking, peacekeeping, peacebuilding and development to achieve an effective response to post-conflict situations, and stressing the need for the Secretary-General to provide in his reports an indication of progress towards achieving a coordinated United Nations approach in Haiti and, in particular, on critical gaps to achieving peacebuilding objectives,

Determining that the situation in Haiti continues to constitute a threat to international peace and security in the region, despite the progress achieved thus far,

Acting under Chapter VII of the Charter of the United Nations, as described in section I of paragraph 7 of resolution 1542 (2004),

1. *Decides* to extend the mandate of the United Nations Stabilization Mission in Haiti, as contained in resolutions 1542 (2004), 1608 (2005), 1702 (2006), 1743 (2007), 1780 (2007) and 1840 (2008), until 15 October 2010, with the intention of further renewal;

2. *Endorses* the recommendation made by the Secretary-General in paragraphs 26 and 27 of his report[140] to maintain the current Mission overall force levels until the planned substantial increase of the Haitian National Police capacity allows for a reassessment of the situation, while adjusting its force configuration to better meet current requirements on the ground;

3. *Decides*, therefore, that the Mission shall consist of a military component of up to 6,940 troops of all ranks and of a police component of up to 2,211 police;

4. *Recognizes* the ownership and primary responsibility of the Government and the people of Haiti over all aspects of the country's stabilization, recognizes the role of the Mission in supporting the efforts of the Government in this regard, and encourages the Government to continue to take full advantage of international support to enhance its capacity, with a view to the eventual resumption of full responsibility;

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[140] S/2009/439.

[141] E/2009/105.

[142] S/PRST/2009/24.

[143] S/PRST/2009/23.

5. *Stresses* the need for coordination among all international actors on the ground;

6. *Expresses its full support* for the Special Representative of the Secretary-General for Haiti, notably in his efforts related to improving stability and governance in close cooperation with the Government of Haiti, and reaffirms his authority in the coordination and conduct of all activities of United Nations agencies, funds and programmes in Haiti;

7. *Also expresses its full support* for the United Nations Special Envoy for Haiti, former President of the United States of America William J. Clinton, notably in his efforts to assist the Government and people of Haiti in creating new jobs, improving the delivery of basic services and infrastructure, strengthening disaster recovery and preparedness, attracting private sector investment and garnering greater international support;

8. *Reaffirms its call upon* the Mission to support the political process under way in Haiti, including through the good offices of the Special Representative, and, in cooperation with the Government of Haiti, to promote an all-inclusive political dialogue and national reconciliation, and to provide logistical and security assistance for the upcoming elections of 2010 in order to ensure that the democratically elected political institutions can continue carrying forward the reform work laid down in the National Growth and Poverty Reduction Strategy Paper;

9. *Welcomes* the continuing contribution of the Mission to the efforts of the Government of Haiti to build institutional capacity at all levels, and calls upon the Mission, consistent with its mandate, to continue such support to strengthen self-sustaining State institutions, especially outside Port-au-Prince, including through the provision of specialized expertise to key ministries and institutions;

10. *Requests* that the Mission continue its support of the Haitian National Police as deemed necessary to ensure security in Haiti, encourages the Mission and the Government of Haiti to continue to undertake coordinated deterrent actions to further decrease the level of crime and violence, including through improved and enhanced implementation of the Haitian National Police Reform Plan,[134] and requests the Mission, consistent with its mandate, to remain engaged in assisting the Government to reform and restructure the National Police, notably by supporting the monitoring, mentoring, training and vetting of police personnel and the strengthening of institutional and operational capacities, consistent with its overall strategy to progressively transfer geographical and functional responsibility for conventional law and order duties to its Haitian counterparts in accordance with the Reform Plan;

11. *Invites* Member States, including neighbouring and regional States, in coordination with the Mission, to strengthen their engagement with the Government of Haiti to address cross-border illicit trafficking in persons, in particular children, and trafficking in drugs and arms and other illegal activities, and to contribute to strengthening the capacity of the Haitian National Police in these areas, including through the provision by the Mission of technical expertise in support of efforts to implement an integrated border management approach, with emphasis on State capacity-building, and underlines the need for coordinated international support for Government efforts in this area;

12. *Recognizes* the need for the Mission to continue its efforts to patrol along maritime and land border areas in support of border security activities by the Haitian National Police, and encourages the Mission to continue discussions with the Government of Haiti and Member States to assess the threats along Haiti's land and maritime borders;

13. *Requests* the United Nations country team, and calls upon all actors, to complement security and development operations undertaken by the Government of Haiti with the support of the Mission with activities aimed at effectively improving the living conditions of the concerned populations and protecting the rights of children, and requests the Mission to continue to implement quick-impact projects;

14. *Condemns* any attack against personnel or facilities of the Mission, and demands that no acts of intimidation or violence be directed against United Nations and associated personnel or facilities or other actors engaged in humanitarian, development or peacekeeping work;

15. *Welcomes* the steps taken towards the reform of rule of law institutions, requests the Mission to continue to provide necessary support in this regard, and encourages the Haitian authorities to take full advantage of that support, notably in modernizing key legislation and in the implementation of the justice reform plan, to take the necessary steps, including nominations, that will allow superior judicial institutions to function adequately and to address the issue of prolonged pretrial detentions and prison overcrowding, with special regard to children;

16. *Encourages* the implementation of the strategic plan of the National Prison Administration, and requests the Mission to remain engaged in supporting the mentoring and training of corrections personnel and the strengthening of institutional and operational capacities;

17. *Requests* the Mission to continue to pursue its community violence reduction approach, including through support to the National Commission on Disarmament, Dismantlement and Reintegration and concentrating its efforts on labour-intensive projects, the development of a weapons registry, the revision of current laws on importation and possession of arms, the reform of the weapons permit system and the development and implementation of a national community policing doctrine;

18. *Reaffirms* the human rights mandate of the Mission, calls upon the Haitian authorities to continue their efforts to promote and protect human rights, and calls upon the Mission to continue to provide human rights training to the Haitian National Police and other relevant institutions, including the correctional services;

19. *Strongly condemns* the grave violations against children affected by armed violence, as well as widespread rape and other sexual abuse of women and girls, and requests the Mission and the United Nations country team, in close cooperation with the Government of Haiti, to continue to promote and protect the rights of women and children as set out in Security Council resolutions 1325 (2000) of 31 October 2000, 1612 (2005) of 26 July 2005, 1820 (2008) of 19 June 2008, 1882 (2009) of 4 August 2009, 1888 (2009) of 30 September 2009 and 1889 (2009) of 5 October 2009;

20. *Requests* the Secretary-General to continue to take the measures necessary to ensure full compliance of all Mission personnel with the United Nations zero-tolerance policy on sexual exploitation and abuse, and to keep the Council informed, and urges troop- and police-contributing countries to ensure that acts involving their personnel are properly investigated and punished;

21. *Calls upon* the Mission and the United Nations country team to further enhance their coordination and, in concert with the Government of Haiti and international partners, help to ensure greater efficiency in the implementation of the National Growth and Poverty Reduction Strategy Paper in order to achieve progress in the area of socio-economic development, which was recognized as essential for the stability of Haiti in the consolidation plan of the Secretary-General, and address urgent development problems;

22. *Welcomes* the important work done by the Mission in support of urgent needs in Haiti, and encourages the Mission, within its mandate, to make full use of existing means and capabilities, including its engineers, with a view to further enhancing stability in the country;

23. *Also welcomes* the progress made by the Mission in its communications and public outreach strategy, and requests it to continue these activities;

24. *Further welcomes* the work done by the Secretary-General to develop five benchmarks and indicators to measure progress being made towards the consolidation of stability in Haiti,[144] and requests the Secretary-General to continue updating the consolidation plan, including by refining those benchmarks and indicators of progress, in consultation with the Government of Haiti, taking into account the National Growth and Poverty Reduction Strategy Paper, as appropriate, and to inform the Council accordingly in his reports;

25. *Requests* the Secretary-General to report to the Council on the implementation of the mandate of the Mission semi-annually and no later than forty-five days prior to its expiration;

26. *Also requests* the Secretary-General to include in his reports a comprehensive assessment of threats to security in Haiti, judicial sector reform, correctional system reform, and counter-narcotics capacity, taking into account a review of the activities and the composition of the Mission, its coordination with the United Nations country team and other development actors and the need for poverty eradication and sustainable development in Haiti, and to propose, as appropriate, options to reconfigure the composition of the Mission;

27. *Underscores* the importance of the planning documents for the military and police components, such as the concept of operations and rules of engagement, being regularly updated, as appropriate, and in line with the provisions of all relevant Council resolutions, and requests the Secretary-General to report on them to the Council and troop- and police-contributing countries;

28. *Decides* to remain seized of the matter.

Adopted unanimously at the 6200th meeting.

Decisions

On 13 January 2010, the President of the Security Council addressed the following letter to the Secretary-General:[145]

> "I have the honour to inform you that your letter dated 13 January 2010 concerning your intention to immediately deploy Mr. Edmond Mulet, Assistant Secretary-General, Office of Operations, in the Department of Peacekeeping Operations of the Secretariat, as your Acting Special Representative for Haiti and Head of the United Nations Stabilization Mission in Haiti[146] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 6261st meeting, on 19 January 2010, the Council decided to invite the representatives of Argentina, Canada, Chile, Guatemala, Haiti, Peru and Uruguay to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The question concerning Haiti".

Resolution 1908 (2010)
of 19 January 2010

The Security Council,

Reaffirming its previous resolutions on Haiti, in particular resolutions 1542 (2004) of 30 April 2004, 1576 (2004) of 29 November 2004, 1608 (2005) of 22 June 2005, 1658 (2006) of 14 February 2006, 1702 (2006) of 15 August 2006, 1743 (2007) of 15 February 2007, 1780 (2007) of 15 October 2007, 1840 (2008) of 14 October 2008 and 1892 (2009) of 13 October 2009,

Expressing its deepest sympathy and solidarity to all those affected by the devastating earthquake of 12 January 2010 in Haiti, and to their families,

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[144] See S/2009/439, annex I.

[145] S/2010/24.

[146] S/2010/23.

Further expressing its deepest gratitude for the work of the staff and troops of the United Nations Stabilization Mission in Haiti, as well as for the work of the staff of other United Nations and international organizations in Haiti,

Recognizing the dire circumstances and the urgent need for a response,

Welcoming the efforts of Member States to support the Government and people of Haiti and the Mission,

1. *Endorses* the recommendation made by the Secretary-General to increase the overall force levels of the United Nations Stabilization Mission in Haiti to support the immediate recovery, reconstruction and stability efforts;

2. *Decides*, therefore, that the Mission shall consist of a military component of up to 8,940 troops of all ranks and a police component of up to 3,711 police and that it will keep the new levels of troops and police in the Mission under review, as necessary;

3. *Decides also* to remain seized of the matter.

Adopted unanimously at the 6261st meeting.

Decisions

At its 6274th meeting, on 19 February 2010, the Security Council decided to invite the representative of Haiti to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The question concerning Haiti".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, and Mr. Alain Le Roy, Under-Secretary-General for Peacekeeping Operations.

On 10 March 2010, the President of the Security Council addressed the following letter to the Secretary-General:[147]

> "I have the honour to inform you that your letter dated 8 March 2010 concerning your intention to appoint Major General Luiz Guilherme Paul Cruz, of Brazil, as Force Commander of the United Nations Stabilization Mission in Haiti[148] has been brought to the attention of the members of the Security Council, who have taken note thereof."

On 29 March 2010, the President of the Security Council addressed the following letter to the Secretary-General:[149]

> "I have the honour to inform you that your letter dated 26 March 2010, in which you informed me of your intention to appoint Mr. Edmond Mulet, of Guatemala, as your Special Representative for Haiti and Head of the United Nations Stabilization Mission in Haiti,[150] has been brought to the attention of the members of the Security Council, who have taken note of it."

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[147] S/2010/132.

[148] S/2010/131.

[149] S/2010/161.

[150] S/2010/160.

At its 6303rd meeting, on 28 April 2010, the Council decided to invite the representatives of Argentina, Canada, Colombia, the Dominican Republic, Guatemala, Haiti (Prime Minister), Norway, Peru, Spain and Uruguay to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The question concerning Haiti

> "Report of the Secretary-General on the United Nations Stabilization Mission in Haiti (S/2010/200 and Corr.1)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Edmond Mulet, Special Representative of the Secretary-General for Haiti and Head of the United Nations Stabilization Mission in Haiti.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Albert Ramdin, Assistant Secretary General of the Organization of American States, and Mr. Pedro Serrano, Acting Head of the Delegation of the European Union to the United Nations.

At its 6330th meeting, on 4 June 2010, the Council decided to invite the representatives of Argentina, Canada, Chile, Guatemala, Haiti, Peru, Spain and Uruguay to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The question concerning Haiti".

Resolution 1927 (2010)
of 4 June 2010

The Security Council,

Reaffirming its previous resolutions on Haiti, in particular resolutions 1542 (2004) of 30 April 2004, 1576 (2004) of 29 November 2004, 1608 (2005) of 22 June 2005, 1658 (2006) of 14 February 2006, 1702 (2006) of 15 August 2006, 1743 (2007) of 15 February 2007, 1780 (2007) of 15 October 2007, 1840 (2008) of 14 October 2008, 1892 (2009) of 13 October 2009 and 1908 (2010) of 19 January 2010,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Haiti,

Recognizing the significant devastation that has been suffered by the Government and people of Haiti, expressing concern regarding the new challenges and threats as a result of the earthquake of 12 January 2010, and stressing the need for the United Nations Stabilization Mission in Haiti to continue to focus its work on ensuring Haiti's security and stability as currently mandated by the Security Council,

Sharing the Secretary-General's assessment of the impact of the earthquake, which has not destroyed the gains towards stabilization made in the past few years but has created new obstacles as well as new opportunities,

Recognizing the need for expanded assistance by the international community to the Government of Haiti in order to allow State institutions to continue operations, provide basic services and build State capacity, and acknowledging the valuable supporting role that the Mission can play in this regard,

Welcoming the establishment of priorities by the Government of Haiti in its Action Plan for National Recovery and Development of Haiti presented at the International Donors' Conference on 31 March 2010, and encouraging the international community to align its activities with the Action Plan, *Welcoming also* the significant contributions of the international community, particularly at the International Donors' Conference on the theme "Towards a New Future for Haiti", held in New York on 31 March 2010, and urging donors to fulfil their pledges in a timely manner,

Commending the extraordinary efforts undertaken by the United Nations to respond to the earthquake, recognizing the critical role of the Mission in ensuring stability and security in Haiti, and also recognizing the complementary roles that the Mission and the United Nations country team have fulfilled to date in assisting Haiti in its recovery efforts, and reaffirming the authority of the Special Representative of the Secretary-General for Haiti in the coordination and conduct of all activities of United Nations agencies, funds and programmes in Haiti,

Stressing the leading role of the Government of Haiti in its post-disaster recovery and reconstruction process, and underlining the necessity for increased coordination and complementary efforts among all United Nations actors and other relevant stakeholders in assisting the Government in this regard,

Reaffirming the need for the Haitian authorities to continue their efforts to promote and protect human rights, including by strengthening national human rights institutions, as well as putting an end to impunity and ensuring the rule of law and security,

Stressing the importance of holding municipal, legislative and presidential elections in a timely manner, welcoming the intention of the Haitian authorities to do so, and encouraging all political parties and relevant stakeholders to work together towards this end and to promote the participation of women in the electoral process,

Welcoming the report of the Secretary-General of 22 April 2010,[151] and the recommendations contained therein,

Acting under Chapter VII of the Charter of the United Nations, as described in section I of paragraph 7 of resolution 1542 (2004),

1. *Authorizes* the deployment of a further 680 police in addition to the police strength authorized by resolution 1908 (2010), as a temporary surge capacity with clearly defined objectives and a particular focus on building the capacity of the Haitian National Police;

2. *Decides*, therefore, that the United Nations Stabilization Mission in Haiti shall consist of a military component of up to 8,940 troops of all ranks and a police component of up to 4,391 police and that it will keep the new levels of troops and police in the Mission under close and regular review, including through the electoral period and subsequent constitutional transfer of power, and requests the Secretary-General to include in his upcoming report to the Security Council an assessment of the implementation of resolution 1908 (2010) and the present resolution;

3. *Reiterates* that the ownership and primary responsibility for stabilization and development lies with the Government and people of Haiti, and recognizes the supporting role of the Mission in this regard;

4. *Recognizes* the need for the Mission to assist the Government of Haiti in providing adequate protection of the population, with particular attention to the needs of internally displaced persons and other vulnerable groups, especially women and children, including through additional joint community policing in the camps, along with strengthened mechanisms to address sexual and gender-based violence; and to tackle the risk of a resurgence in gang violence, organized crime and trafficking in children;

5. *Requests* the Mission to continue, within its current mandate, its collaboration with the Office for the Coordination of Humanitarian Affairs of the Secretariat and the United Nations country team in supporting the humanitarian and recovery efforts, and further encourages all actors to continue to engage in joint planning and coordination at the national and local levels;

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[151] S/2010/200 and Corr.1.

6. *Underscores* the importance of the planning documents for the military and police components, such as the concept of operations and rules of engagement, being regularly updated, as appropriate, and in line with the provisions of all its relevant resolutions, and requests the Secretary-General to report on them to the Council and troop- and police-contributing countries;

7. *Encourages* the Mission to provide logistical support and technical expertise, within available means, to assist the Government of Haiti, as requested, to continue operations to build the capacity of its rule of law institutions at the national and local levels, and to speed up the implementation of the Government's resettlement strategy for displaced persons, in the knowledge that such measures are temporary and will be phased out as Haitian national capacity grows;

8. *Requests* the Mission to continue its support to the Government of Haiti and to the Provisional Electoral Council, as requested, in the preparation and conduct of Haiti's elections, and to coordinate international electoral assistance to Haiti in cooperation with other international stakeholders, including the Organization of American States;

9. *Decides* to remain seized of the matter.

Adopted unanimously at the 6330th meeting.

THE SITUATION IN BURUNDI[152]

Decisions

At its 6236th meeting, on 10 December 2009, the Security Council decided to invite the representative of Burundi (Minister for Foreign Affairs and International Cooperation) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Burundi

> "Sixth report of the Secretary-General on the United Nations Integrated Office in Burundi (S/2009/611)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Youssef Mahmoud, Executive Representative of the Secretary-General for Burundi and Head of the United Nations Integrated Office in Burundi, and Mr. Peter Maurer, Permanent Representative of Switzerland to the United Nations and Chair of the Burundi configuration of the Peacebuilding Commission.

At its 6245th meeting, on 17 December 2009, the Council decided to invite the representative of Burundi to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Burundi

> "Sixth report of the Secretary-General on the United Nations Integrated Office in Burundi (S/2009/611)".

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[152] Resolutions or decisions on this question were first adopted by the Security Council in 1993.

Resolution 1902 (2009)
of 17 December 2009

The Security Council,

Recalling its resolutions and the statements by its President on Burundi, in particular resolutions 1719 (2006) of 25 October 2006, 1791 (2007) of 19 December 2007 and 1858 (2008) of 22 December 2008,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Burundi,

Reaffirming the importance of the Declaration of the Summit of the Heads of State and Government of the Great Lakes Region on the Burundi Peace Process, which took place in Bujumbura on 4 December 2008, and the agreements reached between the Government of Burundi and the Parti pour la libération du peuple hutu-Forces nationales de libération,

Paying tribute to the Regional Peace Initiative on Burundi, the South African Facilitation, the Partnership for Peace in Burundi, the African Union and the Political Directorate for their sustained engagement in support of Burundi's peace consolidation efforts,

Welcoming the progress achieved by Burundi in key peace consolidation areas, as well as in addressing the remaining challenges, in particular the transformation of the Parti pour la libération du peuple hutu-Forces nationales de libération into a political party, the Forces nationales de libération, nominating leaders of the Forces nationales de libération to civil service positions, strengthening good governance, ensuring the sustainability of the disarmament, demobilization and reintegration process, and taking forward the reform of the security sector,

Commending the Government of Burundi and the political parties for the consensus achieved in nominating the members of the Independent National Electoral Commission and the consensual adoption of the revised electoral code, welcoming the decision of the Government to provide a legal framework for the Permanent Forum for Dialogue among parties, and recalling the importance of the elections scheduled for 2010 being prepared and conducted in a free, fair and peaceful environment,

Emphasizing the need for the United Nations system and the international community to maintain their support for peace consolidation and long-term development in Burundi, and welcoming in this regard the holding of the Consultative Group meeting of donors in Paris on 26 and 27 October 2009, and the twin mechanism put in place to coordinate international assistance for the elections,

Welcoming the continued engagement of the Peacebuilding Commission in Burundi and the recent visit of the Chair of the Burundi configuration of the Commission, and taking note of the July 2009 biannual review of progress in the implementation of the Strategic Framework for Peacebuilding in Burundi[153] and of the briefing by the Chair of the Burundi configuration of the Commission on 10 December 2009,[154]

Recognizing the importance of transitional justice in promoting lasting reconciliation among all the people of Burundi, and welcoming the process of national consultations on the establishment of transitional justice mechanisms, in accordance with the Arusha Agreement of 2000 and Security Council resolution 1606 (2005) of 20 June 2005,

Noting with concern the continuing human rights violations and restrictions on civil liberties, including restrictions on the freedom of assembly and expression of the political opposition and representatives of civil society, and expressing equal concern about the reports of violence perpetuated by youth groups associated with some political parties,

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[153] PBC/1/BDI/4, annex.

[154] See S/PV.6236.

Encouraging the Government of Burundi to continue its efforts to fight impunity and to bring to expeditious conclusion cases of human rights violations, including killings,

Recalling its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009 and 1889 (2009) of 5 October 2009 on women and peace and security, its resolutions 1674 (2006) of 28 April 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict and its resolutions 1612 (2005) of 26 July 2005 and 1882 (2009) of 4 August 2009 on children and armed conflict,

Having considered the sixth report of the Secretary-General on the United Nations Integrated Office in Burundi,[155]

1. *Decides* to extend until 31 December 2010 the mandate of the United Nations Integrated Office in Burundi, as set out in resolution 1719 (2006) and renewed in resolutions 1791 (2007) and 1858 (2008);

2. *Encourages* the Government of Burundi and the Forces nationales de libération to make every effort to achieve the implementation of the agreements of 4 December 2008, calls upon all parties to desist from any action that may foster the resumption of tensions, and encourages them to resolve outstanding issues in the spirit of reconciliation and dialogue enshrined in the Constitution of Burundi;

3. *Acknowledges* the contribution brought to peacebuilding in Burundi by the Regional Peace Initiative on Burundi, the South African Facilitation, the Political Directorate and the Partnership for Peace in Burundi until 2009, and encourages the Regional Peace Initiative leaders, the African Union and other international partners to remain actively engaged on the ground to ensure that the implementation of the Declaration of 4 December 2008 is irreversible and to consolidate the peace process;

4. *Reiterates its request* for the Secretary-General, in particular through the United Nations Integrated Office in Burundi, to play a robust political role in support of all facets of the peace process, in full coordination with subregional, regional and international partners;

5. *Decides* that the United Nations Integrated Office in Burundi, working in close cooperation with the Government of Burundi, shall pay particular attention to supporting the electoral process, democratic governance, the consolidation of peace, sustainable reintegration and gender issues;

6. *Recognizes* the primary responsibility of the Government of Burundi and its national partners to create propitious conditions for the elections in 2010, urges the Government to take the measures necessary to create an environment conducive to the holding of free, fair and peaceful elections in 2010, and encourages the Government and the political parties to remain engaged in dialogue, in particular through the Permanent Forum for Dialogue;

7. *Urges* the Government of Burundi and the political parties to continue their efforts to preserve the independence and credibility of the Independent National Electoral Commission;

8. *Supports* the launch in September 2009 by President Nkurunziza of a nationwide civic education campaign for the elections, and encourages the pursuit of civic education activities throughout the electoral process;

9. *Welcomes* the United Nations readiness to assist in the electoral process, and requests the United Nations Integrated Office in Burundi to be prepared to provide, within its existing resources and if required, logistical support to the Independent National Electoral Commission at crucial phases of the electoral process;

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[155] S/2009/611.

10. *Reiterates its request* to the Executive Representative of the Secretary-General for Burundi to facilitate and promote dialogue among national and international stakeholders, in particular in the context of the upcoming elections, while continuing to support their efforts to sustain peace and stability;

11. *Encourages* the Government of Burundi, the Peacebuilding Commission and Burundi's national and international partners to honour the commitments they have made under the Strategic Framework for Peacebuilding in Burundi,[155] and requests the Commission, with support from the United Nations Integrated Office in Burundi, to continue to assist the Government in laying the foundations for sustainable peace and security, reintegration and long-term development in Burundi and in mobilizing the resources needed to achieve these aims, including for the coming elections;

12. *Encourages* the Government of Burundi to pursue its efforts regarding peace consolidation challenges, in particular democratic governance, security reforms, land tenure, justice and the protection of human rights, with a special focus on women's and children's rights;

13. *Also encourages* the Government of Burundi, with the support of the United Nations Integrated Office in Burundi and other international partners, to step up its efforts to pursue the structural reforms aimed at improving political, economic and administrative governance, with continued focus on the fight against corruption, and encourages, in particular, the implementation of the comprehensive public administration reform programme;

14. *Underscores* the importance of security sector reform, and urges all international partners, together with the United Nations Integrated Office in Burundi, to support the efforts of the Government of Burundi to professionalize and enhance the capacity of the national security services and the police, in particular in the fields of training in human rights and sexual and gender-based violence;

15. *Encourages* the Government of Burundi, in collaboration with all international partners, including the United Nations Integrated Office in Burundi, the United Nations Development Programme and the World Bank, to complete the disarmament and demobilization process and the strategy for the sustainable socio-economic reintegration of demobilized soldiers, former combatants, returning refugees, the displaced and other vulnerable groups affected by the conflict, particularly women and children, and urges international partners, particularly the Peacebuilding Commission, to stand ready to support this;

16. *Welcomes* the progress made by the Tripartite Commission comprising Burundi, the Office of the United Nations High Commissioner for Refugees and the United Republic of Tanzania towards achieving dignified durable solutions for refugees living in the United Republic of Tanzania, and encourages a sustained effort with regard to the residual Burundi refugee caseload;

17. *Encourages* the Government of Burundi, with the support of the United Nations Integrated Office in Burundi and other partners, to continue the national consultations on transitional justice with a view to their timely completion and the publication of the final report, and to ensure that the results of those consultations form the basis for the establishment of transitional justice mechanisms;

18. *Calls upon* the Government of Burundi to pursue its efforts to broaden respect for and protection of human rights, including through the establishment of a credible National Independent Human Rights Commission, in conformity with the Paris Principles outlined in the annex to General Assembly resolution 48/134 of 20 December 1993, and further encourages the Government to end impunity and to take the measures necessary to ensure that its citizens fully enjoy their civil, political, social, economic and cultural rights without fear or intimidation, as enshrined in the Constitution of Burundi and provided for in international human rights instruments, including those ratified by Burundi;

19. *Expresses, in particular, its concern* at the continuing sexual and gender-based violence, and urges the Government of Burundi to continue to take the necessary steps to prevent further violations and to ensure that those responsible are brought to justice;

20. *Welcomes* the release of all children by armed groups, emphasizes the need for their sustainable reintegration and reinsertion, welcomes in this regard the programme launched by the World Bank in this field, and urges the Government of Burundi, with the support of the United Nations Integrated Office in Burundi, the United Nations Children's Fund and other members of the Country Task Force on Monitoring and Reporting Grave Child Rights Violations, to fight impunity for violators of children's rights;

21. *Urges* the United Nations Integrated Office in Burundi to strengthen current provisions for cooperation with the United Nations Organization Mission in the Democratic Republic of the Congo, within the limits of their respective capacities and current mandates, in cooperation with the Governments of Burundi and the Democratic Republic of the Congo, as appropriate;

22. *Requests* the Secretary-General to provide to the Security Council a briefing on the electoral process in May 2010 and a full report on the implementation of the mandate of the United Nations Integrated Office in Burundi in November 2010, and requests the Secretary-General to incorporate in that report a detailed review of the extent to which the benchmarks set forth in the addendum of 14 August 2006[156] to his report of 21 June 2006[157] have been met, and, following consultations with the Government of Burundi, to provide recommendations on what changes need to be made to the direction and composition of the United Nations presence in Burundi, including recommendations on a revised time frame for the transition to a more development-focused presence;

23. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6245th meeting.

Decisions

On 25 March 2010, the President of the Security Council addressed the following letter to the Secretary-General:[158]

> "I have the honour to inform you that your letter dated 23 March 2010 concerning your intention to appoint Mr. Charles Petrie, of the United Kingdom of Great Britain and Northern Ireland and France, as your Executive Representative for Burundi and Head of the United Nations Integrated Office in Burundi[159] has been brought to the attention of the members of the Security Council, who have taken note of it."

At its 6309th meeting, on 10 May 2010, the Council decided to invite the representative of Burundi to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Burundi".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Charles Petrie, Executive Representative of the Secretary-General for Burundi and Head of the United Nations Integrated Office in Burundi, and Mrs. Heidi Grau, Deputy Permanent Representative of Switzerland to the United Nations, on behalf of the Chair of the Burundi configuration of the Peacebuilding Commission.

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[156] S/2006/429/Add.1.

[157] S/2006/429.

[158] S/2010/157.

[159] S/2010/156.

THE SITUATION IN AFGHANISTAN[166]

Decisions

At its 6194th meeting, on 29 September 2009, the Security Council decided to invite the representative of Afghanistan (Minister for Foreign Affairs) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Afghanistan

> "Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2009/475)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kai Eide, Special Representative of the Secretary-General for Afghanistan and Head of the United Nations Assistance Mission in Afghanistan.

At its 6198th meeting, on 8 October 2009, the Council decided to invite the representative of Afghanistan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Afghanistan".

Resolution 1890 (2009)
of 8 October 2009

The Security Council,

Reaffirming its previous resolutions on Afghanistan, in particular resolutions 1386 (2001) of 20 December 2001, 1510 (2003) of 13 October 2003, 1833 (2008) of 22 September 2008 and 1868 (2009) of 23 March 2009,

Reaffirming also its resolutions 1267 (1999) of 15 October 1999, 1368 (2001) of 12 September 2001, 1373 (2001) of 28 September 2001 and 1822 (2008) of 30 June 2008, and reiterating its support for international efforts to root out terrorism in accordance with the Charter of the United Nations,

Recalling its resolutions 1265 (1999) of 17 September 1999, 1296 (2000) of 19 April 2000, 1674 (2006) of 28 April 2006 and 1738 (2006) of 23 December 2006 on the protection of civilians in armed conflict, its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009 and 1889 (2009) of 5 October 2009 on women and peace and security and its resolutions 1612 (2005) of 26 July 2005 and 1882 (2009) of 4 August 2009 on children and armed conflict,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Recognizing that the responsibility for providing security and law and order throughout the country resides with the Afghan authorities, stressing the role of the International Security Assistance Force in assisting the Government of Afghanistan to improve the security situation, and welcoming the cooperation of the Government with the Force,

Recognizing once again the interconnected nature of the challenges in Afghanistan, reaffirming that sustainable progress on security, governance and development, as well as the cross-cutting issue of counter-narcotics, is mutually reinforcing, and welcoming the continuing efforts of the Government of Afghanistan and the international community to address these challenges through a comprehensive approach,

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[166] Resolutions or decisions on this question were first adopted by the Security Council in 1994.

Stressing, in this context, the need for further efforts by the Government of Afghanistan to fight corruption, promote transparency and increase its accountability,

Stressing also the central and impartial role that the United Nations continues to play in promoting peace and stability in Afghanistan by leading the efforts of the international community, noting in this context the synergies in the objectives of the United Nations Assistance Mission in Afghanistan and of the International Security Assistance Force, and stressing the need for strengthened cooperation, coordination and mutual support, taking due account of their respective designated responsibilities,

Expressing its strong concern about the security situation in Afghanistan, in particular the increased violent and terrorist activities by the Taliban, Al-Qaida, illegal armed groups, criminals and those involved in the narcotics trade, and the increasingly strong links between terrorism activities and illicit drugs, resulting in threats to the local population, including children, national security forces and international military and civilian personnel,

Encouraging the International Security Assistance Force to further effectively support, within its designated responsibilities, Afghan-led sustained efforts to address, in cooperation with relevant international and regional actors, the threat posed by the illicit production of and trafficking in drugs, and recognizing the important role played by the United Nations Office on Drugs and Crime in fighting the negative impact of drug production and trade on security and stability in the region,

Expressing its concern over the harmful consequences of violent and terrorist activities by the Taliban, Al-Qaida and other extremist groups on the capacity of the Government of Afghanistan to guarantee the rule of law, to provide security and basic services to the Afghan people and to ensure the full enjoyment of their human rights and fundamental freedoms,

Reiterating its support for the continuing endeavours of the Government of Afghanistan, with the assistance of the international community, including the International Security Assistance Force and the Operation Enduring Freedom coalition, to improve the security situation and to continue to address the threat posed by the Taliban, Al-Qaida and other extremist groups, and stressing in this context the need for sustained international efforts, including those of the Force and the coalition,

Condemning in the strongest terms all attacks, including improvised explosive device attacks, suicide attacks and abductions, targeting civilians and Afghan and international forces and their deleterious effect on the stabilization, reconstruction and development efforts in Afghanistan, and condemning further the use by the Taliban, Al-Qaida and other extremist groups of civilians as human shields,

Recognizing the increased threats posed by the Taliban, Al-Qaida and other extremist groups as well as the challenges related to the efforts to address such threats,

Expressing its serious concern about the high number of civilian casualties, and calling for compliance with international humanitarian and human rights law and for all appropriate measures to be taken to ensure the protection of civilians,

Recognizing additional efforts made by the International Security Assistance Force and other international forces to minimize the risk of civilian casualties, welcoming their intention to undertake continued enhanced efforts in this regard, including the increased focus on protecting the Afghan population as a central element of the mission, and noting the importance of conducting continuous reviews of tactics and procedures and after-action reviews and investigations in cooperation with the Government of Afghanistan in cases where civilian casualties have occurred and when the Government finds these joint investigations appropriate,

Acknowledging the progress made in security sector reform, welcoming support provided by the international partners in this regard, in particular the establishment of the North Atlantic Treaty Organization Training Mission Afghanistan, the planned European Gendarmerie Force contribution to this mission and assistance extended to the Afghan National Police, including through the European Union Police Mission in Afghanistan, and stressing the need for Afghanistan, together with international donors, to further strengthen the Afghan National Army and the Afghan National Police and increase its efforts in the disbandment of illegal armed groups and counter-narcotics,

Stressing, in this context, the importance of further progress by the Government of Afghanistan in ending impunity and strengthening judicial institutions, the rule of law and respect for human rights within Afghanistan, including for women and girls, and in the reconstruction and reform of the prison sector in Afghanistan,

Reiterating its call upon all Afghan parties and groups to engage constructively in peaceful political dialogue within the framework of the Afghan Constitution, to work together with international donors for the socio-economic development of the country and to avoid resorting to violence, including through the use of illegal armed groups, and encouraging the implementation of the reintegration and reconciliation programmes led by the Government of Afghanistan within the framework of the Afghan Constitution and with full respect for the implementation of measures introduced by the Security Council in resolution 1267 (1999) and other relevant resolutions of the Council,

Noting the leading role played by the Afghan authorities in organizing the 2009 presidential and provincial council elections, and the support of the United Nations and the International Security Assistance Force, and recognizing the need for timely and orderly preparations for the 2010 elections and for international support in this regard,

Recognizing the importance of the contribution of neighbouring and regional partners, as well as regional organizations, to the stabilization of Afghanistan, stressing the crucial importance of advancing regional cooperation as an effective means to promote security, governance and development in Afghanistan, and welcoming the regional efforts in this regard,

Welcoming the continued coordination between the International Security Assistance Force and the Operation Enduring Freedom coalition, and the cooperation established between the Force and the European Union presence in Afghanistan,

Expressing its appreciation for the leadership provided by the North Atlantic Treaty Organization and for the contributions of many nations to the International Security Assistance Force and to the Operation Enduring Freedom coalition, including its maritime interdiction component, which operates within the framework of the counter-terrorism operations in Afghanistan and in accordance with the applicable rules of international law,

Determining that the situation in Afghanistan still constitutes a threat to international peace and security,

Determined to ensure the full implementation of the mandate of the International Security Assistance Force, in coordination with the Government of Afghanistan,

Acting, for these reasons, under Chapter VII of the Charter,

1. *Decides* to extend the authorization of the International Security Assistance Force, as defined in resolutions 1386 (2001) and 1510 (2003), for a period of twelve months beyond 13 October 2009;

2. *Authorizes* the Member States participating in the International Security Assistance Force to take all measures necessary to fulfil its mandate;

3. *Recognizes* the need to further strengthen the International Security Assistance Force to meet all its operational requirements, and in this regard calls upon Member States to contribute personnel, equipment and other resources to the Force;

4. *Stresses* the importance of increasing, within a comprehensive framework, the functionality, professionalism and accountability of the Afghan security sector, encourages the International Security Assistance Force and other partners to sustain their efforts, as resources

permit, to train, mentor and empower the Afghan national security forces in order to accelerate progress towards the goal of self-sufficient, accountable and ethnically balanced Afghan security forces providing security and ensuring the rule of law throughout the country, welcomes the increasing leadership role played by the Afghan authorities in security responsibilities throughout the country, and stresses the importance of supporting the planned expansion of the Afghan National Army and the Afghan National Police;

5. *Calls upon* the International Security Assistance Force to continue to work in close consultation with the Government of Afghanistan and the Special Representative of the Secretary-General for Afghanistan as well as with the Operation Enduring Freedom coalition in the implementation of the mandate of the Force;

6. *Requests* the leadership of the International Security Assistance Force to keep the Security Council regularly informed, through the Secretary-General, on the implementation of its mandate, including through the provision of quarterly reports;

7. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6198th meeting.

Decisions

At its 6211th meeting, on 29 October 2009, the Security Council decided to invite the representative of Afghanistan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Afghanistan".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[6]

> "The Security Council expresses its strong condemnation of the terrorist attack in Kabul on 28 October 2009 and offers its condolences to the Secretary-General and the families of the victims.
>
> "The Council condemns in the strongest terms the Taliban, who claimed responsibility for the attack and continue to attempt to destabilize the country.
>
> "The Council expresses its strong support for the Secretary-General, his Special Representative for Afghanistan and all United Nations personnel in fulfilling their difficult but important tasks, further expresses solidarity with United Nations staff on the ground, and commends the determination of the United Nations not to be deterred by the tragic incident and to carry on its mission in Afghanistan.
>
> "The Council stresses the need to ensure the security of United Nations staff and its support to this end. The Council expresses its support for the measures already taken by the Secretary-General in this regard and looks forward to the further detailed proposals from him.
>
> "The Council expresses its solidarity with the people of Afghanistan and its support for the upcoming run-off presidential elections, which should be carried out as scheduled with the continued support of the United Nations.
>
> "The Council renews its commitment to assisting Afghanistan on its path towards peace, democracy and reconstruction."

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[6] S/PRST/2009/28.

At its 6255th meeting, on 6 January 2010, the Council decided to invite the representatives of Afghanistan, Australia, Canada, New Zealand, Norway and Pakistan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Afghanistan

> "Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2009/674)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kai Eide, Special Representative of the Secretary-General for Afghanistan and Head of the United Nations Assistance Mission in Afghanistan.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Peter Schwaiger, Chargé d'affaires of the Delegation of the European Union to the United Nations.

On 27 January 2010, the President of the Security Council addressed the following letter to the Secretary-General:[162]

> "I have the honour to inform you that your letter dated 26 January 2010 concerning your intention to appoint Mr. Staffan de Mistura, of Sweden, as your Special Representative for Afghanistan and Head of the United Nations Assistance Mission in Afghanistan[163] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 6287th meeting, on 18 March 2010, the Council decided to invite the representatives of Afghanistan, Australia, Canada, Germany, India, Italy, the Netherlands, New Zealand, Norway, Pakistan and Poland to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Afghanistan

> "Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2010/127)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Alain Le Roy, Under-Secretary-General for Peacekeeping Operations.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Peter Schwaiger, Chargé d'affaires of the Delegation of the European Union to the United Nations.

At its 6290th meeting, on 22 March 2010, the Council decided to invite the representative of Afghanistan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Afghanistan

> "Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2010/127)".

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[162] S/2010/48.

[163] S/2010/47.

Resolution 1917 (2010)
of 22 March 2010

The Security Council,

Recalling its previous resolutions on Afghanistan, in particular resolution 1868 (2009) of 23 March 2009, in which it extended until 23 March 2010 the mandate of the United Nations Assistance Mission in Afghanistan as established by resolution 1662 (2006) of 23 March 2006, and resolution 1659 (2006) of 15 February 2006, in which it endorsed the Afghanistan Compact,[164] and recalling also the report of the Security Council mission to Afghanistan from 21 to 28 November 2008,[165]

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Stressing the importance of a comprehensive approach to address the situation in Afghanistan, and recognizing that there is no purely military solution to ensure the stability of Afghanistan,

Reaffirming its continued support for the Government and people of Afghanistan as they rebuild their country, strengthen the foundations of sustainable peace and constitutional democracy and assume their rightful place in the community of nations,

Welcoming the communiqué of the London Conference on Afghanistan, held on 28 January 2010,[166] which set a clear agenda and agreed priorities for the way ahead on Afghanistan, underpinned by a comprehensive strategy to be taken forward by the Government of Afghanistan with the support of the region and the international community and with a central and impartial coordinating role for the United Nations,

Reaffirming in this context its support for the implementation, under the ownership of the Afghan people, of the Afghanistan Compact, the Afghanistan National Development Strategy and the National Drug Control Strategy,[167] and noting that sustained and coordinated efforts by all relevant actors are required to consolidate progress made towards their implementation and to overcome continuing challenges,

Stressing the central and impartial role that the United Nations continues to play in promoting peace and stability in Afghanistan by leading the efforts of the international community, including, jointly with the Government of Afghanistan, the coordination and monitoring of efforts in implementing the Afghanistan Compact through the Joint Coordination and Monitoring Board in support of the priorities set up by the Government, and expressing its appreciation and strong support for the ongoing efforts of the Secretary-General, his newly appointed Special Representative for Afghanistan and, in particular, the women and men of the Mission, who are serving in difficult conditions to help the people of Afghanistan,

Welcoming the continued commitment of the international community to support the stability and development of Afghanistan, and also welcoming in this regard international and regional initiatives, including commitments made at the regional Summit on Friendship and Cooperation in the "Heart of Asia", held in Istanbul, Turkey, on 26 January 2010 with the participation of Afghanistan and its neighbours, and the London Conference on Afghanistan, held on 28 January 2010, and looking forward to the Government of Afghanistan's concrete action plans and targets in anticipation of an international conference in Kabul later in the year,

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[164] S/2006/90, annex.

[165] S/2008/782.

[166] S/2010/65, annex II.

[167] S/2006/106, annex.

Recalling the importance of the Kabul Declaration on Good-neighbourly Relations of 22 December 2002,[168] the special conference on Afghanistan under the aegis of the Shanghai Cooperation Organization, held in Moscow on 27 March 2009, and the Istanbul Statement of 26 January 2010,[169] looking forward to the Fourth Regional Economic Cooperation Conference on Afghanistan, to be held in Turkey, and stressing the crucial importance of advancing regional cooperation as an effective means to promote security, governance and economic and social development in Afghanistan,

Welcoming the efforts of countries that are increasing their civilian and humanitarian efforts to assist the Government and the people of Afghanistan, and encouraging the international community to further enhance its contributions in a coordinated manner with the Afghan authorities and the Mission,

Stressing the need for a transparent, credible and democratic process that preserves stability and security through the election period, and welcoming the commitment of the Government of Afghanistan to ensure the integrity of the 2010 national legislative elections and to prevent irregularities and misconduct,

Recognizing once again the interconnected nature of the challenges in Afghanistan, reaffirming that sustainable progress on security, governance, human rights, the rule of law and development, as well as the cross-cutting issues of anti-corruption, counter-narcotics and transparency, is mutually reinforcing, and welcoming the continuing efforts of the Government of Afghanistan and the international community to address these challenges through a comprehensive approach,

Stressing the importance of a comprehensive approach in addressing the challenges in Afghanistan, noting in this context the synergies in the objectives of the Mission and of the International Security Assistance Force, as also noted in resolution 1890 (2009) of 8 October 2009, and stressing the need for strengthened cooperation, coordination and mutual support, taking due account of their respective designated responsibilities,

Stressing also the need to urgently address the humanitarian situation by improving the reach, quality and quantity of humanitarian aid, by ensuring efficient, effective and timely coordination and delivery of humanitarian assistance through enhanced coordination among the United Nations agencies, funds and programmes under the authority of the Special Representative and between the United Nations and other donors, and through the expansion and strengthening of the United Nations humanitarian presence in the provinces, where it is most needed,

Condemning attacks against humanitarian workers, emphasizing that the attacks impede efforts to aid the people of Afghanistan, and underlining the need for all parties to ensure safe and unhindered access for all humanitarian actors, including United Nations staff and associated personnel, and to comply fully with applicable international humanitarian law,

Reiterating its concern about the security situation in Afghanistan, in particular the increased violent and terrorist activities by the Taliban, Al-Qaida, illegal armed groups, criminals and those involved in the narcotics trade, and the increasingly strong links between terrorism activities and illicit drugs, resulting in threats to the local population, including children, national security forces and international military and civilian personnel,

Expressing its serious concern over the harmful consequences of violent and terrorist activities by the Taliban, Al-Qaida and other extremist groups on the capacity of the Government of Afghanistan to guarantee the rule of law, to provide security and basic services to the Afghan people and to ensure the improvement and protection of their human rights and fundamental freedoms,

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[168] S/2002/1416, annex.

[169] S/2010/70, annex.

Recognizing the increased threats posed by the Taliban, Al-Qaida and other extremist groups as well as the challenges related to the efforts to address such threats,

Recalling its resolutions 1674 (2006) of 28 April 2006, 1738 (2006) of 23 December 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict, expressing its concern at the high number of civilian casualties, the significant majority of which are caused by the Taliban, Al-Qaida and other extremist groups, welcoming the progress by Afghan and international forces in reducing civilian casualties, reiterating its call for all feasible steps to be taken to ensure the protection of civilians, and calling for compliance with international humanitarian and human rights law, as applicable,

Expressing its concern at the serious threat that anti-personnel mines, remnants of war and improvised explosive devices may pose to the civilian population, and stressing the need to refrain from the use of weapons and devices prohibited by international law,

Welcoming the achievements of the Government of Afghanistan in banning ammonium nitrate fertilizer, and urging prompt action to implement regulations for the control of all explosive materials and precursor chemicals, thereby reducing the ability of insurgents to use them for improvised explosive devices,

Recalling the declaration addressed to the International Narcotics Control Board by the Government of Afghanistan that there is no legal use for acetic anhydride in Afghanistan for the time being and that producing and exporting countries should abstain from authorizing the export of this substance to Afghanistan without a request from the Government of Afghanistan,[170] and encouraging, pursuant to resolution 1817 (2008) of 11 June 2008, Member States to increase their cooperation with the Board, notably by complying fully with the provisions of article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[171]

Expressing its support for the Afghan-Pakistani Peace Jirga process,

Recalling its resolutions 1265 (1999) of 17 September 1999, 1296 (2000) of 19 April 2000, 1674 (2006), 1738 (2006) and 1894 (2009) on the protection of civilians in armed conflict, its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009 and 1889 (2009) of 5 October 2009 on women and peace and security and its resolutions 1612 (2005) of 26 July 2005 and 1882 (2009) of 4 August 2009 on children and armed conflict, and taking note of the report of the Secretary-General on children and armed conflict in Afghanistan,[172]

1. *Welcomes* the report of the Secretary-General of 10 March 2010;[173]

2. *Expresses its appreciation* for the United Nations long-term commitment to work with the Government and people of Afghanistan, and reiterates its full support for the work of the United Nations Assistance Mission in Afghanistan and the Special Representative of the Secretary-General for Afghanistan;

3. *Decides* to extend until 23 March 2011 the mandate of the Mission, as defined in its resolutions 1662 (2006), 1746 (2007) of 23 March 2007, 1806 (2008) of 20 March 2008 and 1868 (2009) and in paragraphs 4 to 6 below;

4. *Calls upon* the United Nations, with the support of the international community, to support the priorities of the Government of Afghanistan on the issues of security, governance and economic development, and regional cooperation, and to support the full implementation of

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[170] See S/2009/235, annex.

[171] United Nations, *Treaty Series*, vol. 1582, No. 27627.

[172] S/2008/695.

[173] S/2010/127.

mutual commitments made on these issues at the London Conference on Afghanistan, as well as on continuing implementation of the National Drug Control Strategy,[167] and requests that the Mission assist the Government in the transition towards Afghan leadership, including by supporting the preparation of the conference to be held in Kabul later in the year.

5. *Decides* that the Mission and the Special Representative, within their mandate and guided by the principle of reinforcing Afghan ownership and leadership, shall continue to lead the international civilian efforts, in accordance with the communiqué of the London Conference on Afghanistan,[166] and with a particular focus on the priorities laid down below:

(*a*) Promote, as co-chair of the Joint Coordination and Monitoring Board, more coherent support by the international community to the development and governance priorities of the Government of Afghanistan, including through mobilization of resources, coordination of international donors and organizations, and direction of the contributions of United Nations agencies, funds and programmes, in particular for counter-narcotics, reconstruction and development activities; at the same time, support efforts to increase the proportion of development aid delivered through the Government, and support efforts to increase the transparency and effectiveness of the Government's use of such resources;

(*b*) Strengthen cooperation with the International Security Assistance Force and the Senior Civilian Representative of the North Atlantic Treaty Organization at all levels and throughout the country, in accordance with their existing mandates, in order to improve civil-military coordination, to facilitate the timely exchange of information and to ensure coherence between the activities of national and international security forces and of civilian actors in support of an Afghan-led development and stabilization process, including through engagement with provincial reconstruction teams and engagement with non-governmental organizations, and support the process of provincial transition to Afghan-led security responsibility, taking into account the respective mandates of the Mission and the Force;

(*c*) Provide political outreach as well as good offices to support, if requested by the Government of Afghanistan, the implementation of Afghan-led reconciliation and reintegration programmes, including by proposing and supporting confidence-building measures within the framework of the Afghan Constitution and with full respect for the implementation of measures and application of the procedures introduced by the Security Council in its resolutions 1267 (1999) of 15 October 1999, 1822 (2008) of 30 June 2008 and 1904 (2009) of 17 December 2009, as well as other relevant resolutions of the Council;

(*d*) Support, at the request of the Afghan authorities, and taking into account progress on commitments on electoral reform agreed at the London Conference, preparations for the upcoming national legislative elections, by providing technical assistance, coordinating other international donors, agencies and organizations providing assistance and channelling existing and additional funds earmarked to support the process; and support, through civil society, the robust participation of the Afghan people in the elections and the electoral reform process;

6. *Reaffirms* that the Mission and the Special Representative shall continue to lead international civilian efforts in the following priority areas:

(*a*) Through a strengthened and expanded presence throughout the country, promote at the local level the implementation of the Afghanistan National Development Strategy and the National Drug Control Strategy, and facilitate inclusion in and understanding of the policies of the Government of Afghanistan;

(*b*) Support and strengthen efforts to improve governance and the rule of law, including transitional justice, and to combat corruption at the local and national levels, and to promote development initiatives at the local level with a view to helping to bring the benefits of peace and deliver services in a timely and sustainable manner;

(*c*) Play a central coordinating role to facilitate the delivery of humanitarian assistance in accordance with humanitarian principles and with a view to building the capacity of the

Government of Afghanistan, including by providing effective support to national and local authorities in assisting and protecting internally displaced persons and to creating conditions conducive to the voluntary, safe, dignified and sustainable return of refugees and internally displaced persons;

(*d*) Continue, with the support of the Office of the United Nations High Commissioner for Human Rights, to cooperate with the Afghan Independent Human Rights Commission, to cooperate also with relevant international and local non-governmental organizations and the Government of Afghanistan, to monitor the situation of civilians, to coordinate efforts to ensure their protection, to promote accountability, and to assist in the full implementation of the fundamental freedoms and human rights provisions of the Afghan Constitution and international treaties to which Afghanistan is a State party, in particular those regarding the full enjoyment by women of their human rights;

(*e*) Support regional cooperation to work towards a stable and prosperous Afghanistan;

7. *Calls upon* all Afghan and international parties to coordinate with the Mission in the implementation of its mandate and in efforts to promote the security and freedom of movement of United Nations and associated personnel throughout the country;

8. *Reiterates* the need to ensure the security of United Nations staff and its support for the measures already taken by the Secretary-General in this regard, and looks forward to an analysis of the United Nations security requirements in Afghanistan;

9. *Stresses* the importance of strengthening and expanding the presence of the Mission and United Nations agencies, funds and programmes in the provinces, encourages the Secretary-General to continue his current efforts to take the measures necessary to address the security issues associated with such strengthening and expansion, and strongly supports the authority of the Special Representative in the coordination of all activities of United Nations agencies, funds and programmes in Afghanistan;

10. *Underscores* the importance of the upcoming national legislative elections for Afghanistan's democratic development, calls for all efforts to be made to ensure the credibility, safety and security of the elections, recognizes the challenges that face the Afghan Independent Election Commission and the Afghan Electoral Complaints Commission, underlines the need for those two bodies to effectively discharge their functions in preparing and monitoring elections, and encourages the Government of Afghanistan to work together with the Mission to ensure that the Independent Election Commission and the Electoral Complaints Commission are strong and independent and provide the proper checks and balances required by the Constitution;

11. *Welcomes* the commitment of the Government of Afghanistan to work closely with the United Nations to build on the lessons learned from the 2009 elections to deliver improvements to the electoral process in 2010 and beyond, and, taking into account the commitments on electoral reform made at the London Conference, reaffirms the leading role of the Mission in supporting the realization of these commitments at the request of the Government, and requests that the Mission provide technical assistance to the National Assembly and civil society to support constructive electoral reforms; and further calls upon members of the international community to provide assistance, as appropriate;

12. *Also welcomes* the renewed efforts of the Government of Afghanistan, including through the national Peace Jirga to be held this year, to promote dialogue with those elements in opposition to the Government who are ready to renounce violence, break ties with Al-Qaida and other terrorist organizations, denounce terrorism and accept the Afghan Constitution, particularly as it relates to gender and human rights issues, and encourages the Government to make use of the good offices of the Mission to support this process, as appropriate, in full respect of the implementation of measures and procedures introduced by the Council in resolutions 1267 (1999), 1822 (2008) and 1904 (2009), as well as other relevant resolutions of the Council;

13. *Further welcomes* the commitment of the Government of Afghanistan to develop and implement an effective, inclusive, transparent and sustainable national peace and reintegration programme, stresses the role of the Mission in supporting this programme as mandated in the present resolution, and encourages the international community to assist the efforts of the Government in this regard, including through a peace and reintegration trust fund;

14. *Welcomes* ongoing efforts by the Government of Afghanistan and its neighbouring and regional partners to foster trust and cooperation with each other, as well as recent cooperation initiatives developed by the countries concerned and regional organizations, including the Fourth Trilateral Summit of Afghanistan, Pakistan and Turkey, held in Istanbul on 24 and 25 January 2010, the Istanbul Summit, held on 26 January 2010 with the participation of Afghanistan and its neighbours, and the London Conference, held on 28 January 2010, further welcomes the reaffirmation in the communiqué of the London Conference of the principles set out in the Kabul Declaration on Good-neighbourly Relations of 22 December 2002,[illegible] and stresses the importance of increasing cooperation between Afghanistan and its partners against the Taliban, Al-Qaida and other extremist groups, in promoting peace and prosperity in Afghanistan and in fostering cooperation in the economic and development sectors as a means to achieve the full integration of Afghanistan into regional dynamics and the global economy;

15. *Reaffirms* the central role played by the Joint Coordination and Monitoring Board in coordinating, facilitating and monitoring the implementation of the Afghanistan National Development Strategy, and calls upon all relevant actors to enhance their cooperation with the Board in this regard with a view to further improving its efficiency;

16. *Calls upon* international donors and organizations and the Government of Afghanistan to adhere to their commitments made at the International Conference in Support of Afghanistan, held in Paris on 12 June 2008, and at the London Conference, held on 28 January 2010, and reiterates the importance of further efforts in improving aid coordination and effectiveness, including by ensuring transparency, combating corruption and enhancing the capacity of the Government to coordinate aid;

17. *Calls upon* the Government of Afghanistan, with the assistance of the international community, including the International Security Assistance Force and the Operation Enduring Freedom coalition, in accordance with their respective designated responsibilities as they evolve, to continue to address the threat to the security and stability of Afghanistan posed by the Taliban, Al-Qaida, illegal armed groups, criminals and those involved in the narcotics trade;

18. *Condemns in the strongest terms* all attacks, including improvised explosive device attacks, suicide attacks and abductions, targeting civilians and Afghan and international forces and their deleterious effect on the stabilization, reconstruction and development efforts in Afghanistan, and condemns further the use by the Taliban and other extremist groups of civilians as human shields;

19. *Welcomes* the achievements to date in the implementation of the Mine Action Programme for Afghanistan, and encourages the Government of Afghanistan, with the support of the United Nations and all the relevant actors, to continue its efforts towards the removal of anti-personnel landmines, anti-tank landmines and explosive remnants of war in order to reduce the threats posed to human life and peace and security in the country; and expresses the need to provide assistance for the care, rehabilitation and economic and social reintegration of victims, including persons with disabilities;

20. *Recognizes* the progress made by the International Security Assistance Force and other international forces in minimizing the risk of civilian casualties, as described in the January 2010 report of the Mission on the protection of civilians in armed conflict, and calls upon them to continue to make robust efforts in this regard, notably by the continuous review of tactics and procedures and the conduct of after-action reviews and investigations in cooperation with the Government of Afghanistan in cases where civilian casualties have occurred and when the Government finds these joint investigations appropriate;

21. *Emphasizes* the importance of ensuring access for relevant organizations, as applicable, to all prisons and places of detention in Afghanistan, and calls for full respect for relevant international law, including humanitarian law and human rights law;

22. *Expresses its strong concern* about the recruitment and use of children by Taliban forces in Afghanistan as well as the killing and maiming of children as a result of the conflict, reiterates its strong condemnation of the recruitment and use of child soldiers in violation of applicable international law and all other violations and abuses committed against children in situations of armed conflict, in particular attacks against schools and the use of children in suicide attacks, calls for those responsible to be brought to justice, stresses the importance of implementing resolutions 1612 (2005) and 1882 (2009) in this context, and requests the Secretary-General to continue to strengthen the child protection component of the Mission, in particular through the appointment of child protection advisers;

23. *Reiterates* the importance of increasing, within a comprehensive framework, the functionality, professionalism and accountability of the Afghan security sector through appropriate vetting procedures, training, mentoring, equipping and empowerment efforts, for both women and men, in order to accelerate progress towards the goal of self-sufficient and ethnically balanced Afghan security forces providing security and ensuring the rule of law throughout the country;

24. *Welcomes*, in this context, the continued progress in the development of the Afghan National Army and its improved ability to plan and undertake operations, and encourages sustained training efforts, including through the contribution of trainers, resources and operational mentoring and liaison teams through the North Atlantic Treaty Organization Training Mission-Afghanistan, and advice in developing a sustainable defence planning process as well as assistance in defence reform initiatives;

25. *Takes note* of the ongoing efforts of the Afghan authorities to enhance the capabilities of the Afghan National Police, calls for further efforts towards that goal, including through the Focused District Development programme, and stresses the importance, in this context, of international assistance through financial support and the provision of trainers and mentors, including the contribution of the North Atlantic Treaty Organization Training Mission-Afghanistan, the European Gendarmerie Force contribution to this mission and the European Union through the European Union Police Mission in Afghanistan;

26. *Welcomes* the progress in the implementation by the Government of Afghanistan of the programme of disbandment of illegal armed groups, and calls for accelerated efforts for further progress, with support from the international community;

27. *Takes note* of the recent progress in addressing opium production, remains concerned at the serious harm that opium cultivation, production and trafficking and consumption continue to cause to the security, development and governance of Afghanistan as well as to the region and internationally, calls upon the Government of Afghanistan, with the assistance of the international community, to accelerate the implementation of the National Drug Control Strategy, including through alternative livelihood programmes, and to mainstream counter-narcotics throughout national programmes, and encourages additional international support for the four priorities identified in the Strategy; and commends the support provided by the United Nations Office on Drugs and Crime to the Triangular Initiative and the Central Asian Regional Information and Coordination Centre within the framework of the Paris Pact initiative[174] and the Rainbow Strategy, as well as the contribution of the Domodedovo Police Academy of the Russian Federation;

28. *Calls upon* States to strengthen international and regional cooperation to counter the threat to the international community posed by the illicit production, trafficking and consumption of drugs originating in Afghanistan, in accordance with the principle of common and shared

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[174] See S/2003/641, annex.

responsibility, including by strengthening the law enforcement capacity in drug control and cooperation for the fight against the illicit trafficking in drugs and precursor chemicals and against money-laundering and corruption linked to such trafficking, taking into account the outcome of the Second Ministerial Conference on Drug Trafficking Routes from Afghanistan, organized by the Government of the Russian Federation in cooperation with the United Nations Office on Drugs and Crime and held in Moscow from 26 to 28 June 2006,[177] within the framework of the Paris Pact initiative and its "Paris-Moscow" process, and in this regard calls for full implementation of Council resolution 1817 (2008);

29. *Calls for* the continuation of the Paris Pact initiative in counteracting illicit production, trafficking and consumption of narcotics and the elimination of poppy crops and drug laboratories and stores as well as the interception of drug convoys, underlines the importance of border management cooperation, and welcomes the intensified cooperation of the relevant United Nations institutions with the Organization for Security and Cooperation in Europe in this regard;

30. *Reiterates* the importance of the full, sequenced, timely and coordinated implementation of the National Justice Programme by all the relevant Afghan institutions and other actors in view of accelerating the establishment of a fair and transparent justice system, eliminating impunity and contributing to the affirmation of the rule of law throughout the country;

31. *Stresses*, in this context, the importance of further progress in the reconstruction and reform of the prison sector in Afghanistan, in order to improve respect for the rule of law and human rights therein;

32. *Notes with strong concern* the effects of widespread corruption on security, good governance, counter-narcotics efforts and economic development, and urges the Government of Afghanistan, with the assistance of the international community, to vigorously lead the fight against corruption and to enhance its efforts to establish a more effective, accountable and transparent administration;

33. *Encourages* all Afghan institutions, including the executive and legislative branches, to work in a spirit of cooperation, calls upon the Government of Afghanistan to pursue continued legislative and public administration reform in order to ensure good governance, with full representation of all Afghan women and men, and accountability at both the national and the subnational levels, and stresses the need for further international efforts to provide technical assistance in this area;

34. *Calls for* full respect for human rights and fundamental freedoms and international humanitarian law throughout Afghanistan, notes with concern the restrictions on freedom of the media and attacks against journalists, commends the Afghan Independent Human Rights Commission for its courageous efforts to monitor respect for human rights in Afghanistan as well as to foster and protect those rights and to promote the emergence of a pluralistic civil society, and stresses the importance of full cooperation with the Commission by all relevant actors; and supports broad engagement across government agencies and civil society for the realization of the mutual commitments made at the London Conference, including the commitment to provide sufficient government financing for the Commission;

35. *Recognizes* that, despite progress achieved on gender equality, enhanced efforts are necessary to secure the rights of women and girls, strongly condemns continuing forms of discrimination and violence against women and girls, in particular violence aimed at preventing girls from attending school, stresses the importance of implementing resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009), supports efforts to accelerate implementation of the National Action Plan for the Women of Afghanistan, welcomes the commitment of the Government of Afghanistan to strengthen the participation of women in all Afghan governance

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[177] See S/2006/598, annex.

institutions, including elected and appointed bodies and the civil service, and requests the Secretary-General to continue to include in his reports to the Council relevant information on the process of integration of women into the political, economic and social life of Afghanistan;

36. *Welcomes* the cooperation of the Government of Afghanistan and the United Nations Assistance Mission in Afghanistan with the Security Council Committee established pursuant to resolution 1267 (1999) in the implementation of resolution 1904 (2009), including by providing relevant information for updating the Consolidated List and by identifying individuals and entities participating in the financing or support of acts or activities of Al-Qaida and the Taliban using proceeds derived from illicit cultivation and production of and trafficking in narcotic drugs and their precursors, and encourages the continuation of such cooperation;

37. *Calls for* the strengthening of the process of regional economic cooperation, including measures to facilitate regional trade, to increase foreign investments and to develop infrastructure, noting Afghanistan's historical role as a land bridge in Asia;

38. *Recognizes* the importance of the voluntary, safe, orderly return and sustainable reintegration of the remaining Afghan refugees for the stability of the country and the region, and calls for continued and enhanced international assistance in this regard;

39. *Affirms* the importance of the voluntary, safe, orderly return and sustainable reintegration of internally displaced persons;

40. *Requests* the Secretary-General to report to the Council every three months on developments in Afghanistan and to include in his next report an evaluation of progress made against the benchmarks for measuring and tracking progress in the implementation of the mandate of the Mission and priorities as set out in the present resolution, and calls upon all actors concerned to cooperate with the Mission in this process;

41. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6290th meeting.

Decisions

On 14 June 2010, the President of the Security Council addressed the following letter to the Secretary-General:[176]

> "I have the honour to inform you that the members of the Security Council have decided to send a mission to Afghanistan from 21 to 24 June 2010. The mission will be led by Ambassador Ertuğrul Apakan, of Turkey.
>
> "As previously and duly mandated by the Council, the mission will conclude on 24 June in Istanbul, where the Government of Turkey will take over as the host of the informal Council retreat on peacemaking, peacekeeping and peacebuilding. The retreat is expected to benefit greatly also from the insights and experiences that the participants will have gained during the Council mission to Afghanistan.
>
> "The members of the Council have agreed to the attached terms of reference for the mission (see annex). The composition of the mission is as follows:
>
> "Austria (Ambassador Thomas Mayr-Harting)
>
> "Bosnia and Herzegovina (Minister Counsellor Mirsada Čolaković)
>
> "Brazil (First Secretary Christiano Sávio Barros Figueirôa)

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[176] S/2010/325.

"China (Ambassador Wang Min)

"France (Ambassador Gerard Araud)

"Gabon (Ambassador Emanuel Issoze-Ngondet)

"Japan (Ambassador Yukio Takasu)

"Lebanon (Ambassador Nawaf Salam)

"Mexico (Ambassador Claude Heller)

"Nigeria (Ambassador Raff Bukun-Olu Wole Onemola)

"Russian Federation (Minister Alexander Pankin)

"Turkey (Ambassador Ertuğrul Apakan)

"Uganda (Ambassador Ruhakana Rugunda)

"United Kingdom of Great Britain and Northern Ireland (Ambassador Mark Lyall Grant)

"United States of America (Ambassador Susan E. Rice)

"I should be grateful if you could have the present letter and its annex circulated as a document of the Security Council.

"Annex

"Security Council mission to Afghanistan, June 2010

"*Led by Ambassador Ertuğrul Apakan (Turkey)*

"Terms of reference

"1. To reaffirm the continued support of the Security Council for the Government and people of Afghanistan as they rebuild their country, strengthen the foundations of sustainable peace and constitutional democracy and assume their rightful place in the community of nations.

"2. To review the progress made by the Government of Afghanistan, with the assistance of the international community, including through capacity-building initiatives, in addressing the interconnected challenges in the areas of security, governance, the rule of law, human rights, women's rights and the empowerment of women, the protection of children affected by armed conflict, economic and social development, regional cooperation and counter-narcotics.

"3. To assess the status of implementation of relevant Council resolutions, in particular resolutions 1806 (2008), 1868 (2009) and 1917 (2010), as well as of mutual pledges and commitments made by the participants at the London and Istanbul conferences held in January 2010, and looking ahead to the Kabul conference.

"4. To underline the central and impartial role that the United Nations continues to play in promoting peace and stability in Afghanistan by leading the civilian efforts of the international community and to express strong support for the ongoing efforts of the Secretary-General, including regarding staff security, and of his new Special Representative for Afghanistan, to reiterate the priorities set out by the Council in its resolution 1917 (2010) and to display solidarity with the women and men of the United Nations Assistance Mission in Afghanistan.

"5. To review the implementation of the key coordinating role assigned to the Mission and the Special Representative by the Council in resolution 1917 (2010), taking into account the need for a comprehensive approach and the principle of reinforcing the transition towards Afghan ownership and leadership.

"6. To review efforts by the Afghan authorities, in support of an Afghan-led development and stabilization process with the assistance of the international community, to address the threat to the security and stability of Afghanistan posed by the Taliban, Al-Qaida, illegal armed groups, criminals and those involved in the narcotics trade and in the diversion of chemical precursors.

"7. To reaffirm the importance of the effective implementation of measures and application of the procedures introduced by the Council in its resolutions 1267 (1999), 1822 (2008) and 1904 (2009) and other relevant resolutions, and to express support for the cooperation of the Government of Afghanistan and the Mission with the relevant Council sanctions committee.

"8. To review the humanitarian and development situation in the country, including the efforts to increase the proportion of development aid delivered through the Government of Afghanistan and the role of the provincial reconstruction teams, taking into account the development priorities of Afghanistan.

"9. To assess the cooperation, coordination and mutual support between the Mission and the International Security Assistance Force, including on humanitarian and human rights issues and in supporting the electoral process, in accordance with their respective mandates.

"10. To assess the preparation of legislative elections to be held later in 2010, as well as their credibility, safety and security.

"11. To reaffirm the crucial importance of advancing regional cooperation and dialogue as an effective means to promote governance, security and development in Afghanistan."

At its 6351st meeting, on 30 June 2010, the Council decided to invite the representatives of Afghanistan, Australia, Canada, Germany, India, Italy, Norway and Pakistan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Afghanistan

"Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2010/318)

"Letter dated 14 June 2010 from the President of the Security Council addressed to the Secretary-General (S/2010/325)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Staffan de Mistura, Special Representative of the Secretary-General for Afghanistan and Head of the United Nations Assistance Mission in Afghanistan.

At the same meeting, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Pedro Serrano, Acting Head of the Delegation of the European Union to the United Nations, in response to his request dated 24 June 2010.

THE SITUATION IN SIERRA LEONE[illegible]

Decisions

At its 6187th meeting, on 14 September 2009, the Security Council decided to invite the representative of Sierra Leone to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Sierra Leone

> "Third report of the Secretary-General on the United Nations Integrated Peacebuilding Office in Sierra Leone (S/2009/438)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Michael von der Schulenburg, Executive Representative of the Secretary-General for Sierra Leone and Head of the United Nations Integrated Peacebuilding Office in Sierra Leone, and Mr. John McNee, Permanent Representative of Canada to the United Nations and Chair of the Sierra Leone configuration of the Peacebuilding Commission.

At its 6189th meeting, on 15 September 2009, the Council decided to invite the representative of Sierra Leone to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Sierra Leone

> "Third report of the Secretary-General on the United Nations Integrated Peacebuilding Office in Sierra Leone (S/2009/438)".

Resolution 1886 (2009)
of 15 September 2009

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the situation in Sierra Leone, in particular resolution 1829 (2008) of 4 August 2008,

Commending the valuable contribution that the United Nations Integrated Peacebuilding Office in Sierra Leone has made to peacebuilding efforts and to the peace, security and development of the country,

Welcoming the report of the Secretary-General of 1 September 2009[illegible] and his recommendation that the mandate of the United Nations Integrated Peacebuilding Office in Sierra Leone be extended for a period of one year, until 30 September 2010, with a view to providing continued peacebuilding assistance to the Government of Sierra Leone,

Emphasizing the importance of continued integrated support of the United Nations system and the international community for the long-term peace, security and development of Sierra Leone, particularly through the strengthening of the capacity of the Government of Sierra Leone,

Welcoming the Agenda for Change of the Government of Sierra Leone as the core strategic document for the country for the period until the end of 2012, and calling upon all international partners to align their assistance with the priorities outlined in the Agenda for Change,

Commending the United Nations Integrated Peacebuilding Office in Sierra Leone and the United Nations country team for articulating a new and innovative approach to peacebuilding in the United Nations joint vision document, welcoming the integration of the political mandate of

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[illegible] Resolutions or decisions on this question were first adopted by the Security Council in 1995.

[illegible] S/2009/438.

the Office with the development and humanitarian mandates of the United Nations country team, and encouraging all United Nations entities in Sierra Leone to continue to implement the joint vision strategy,

Welcoming the political parties' joint communiqué of 2 April 2009 and its contribution towards the immediate cessation of the political violence in Sierra Leone, and calling upon all political parties and other relevant actors to adhere to its provisions and ensure its implementation,

Reiterating its appreciation for the work of the Peacebuilding Commission, and welcoming the outcome of the High-level Special Session on Sierra Leone held by the Commission on 10 June 2009,[179] which articulated a road map for the continued engagement of the Commission with Sierra Leone in alignment with the Agenda for Change of the Government of Sierra Leone,

Reiterating its appreciation also for the work of the Special Court for Sierra Leone, stressing the importance of the trial of former President of Liberia Charles Taylor by the Court, as well as effective outreach on the trial at the local level, welcoming the progress made in other trials, reiterating its expectation that the Court will finish its work as soon as possible, and calling upon Member States to contribute to the Court,

Welcoming the role played by the Economic Community of West African States, and encouraging the States members of the Mano River Union and other regional organizations to continue promoting regional peace and security,

1. *Decides* to extend the mandate of the United Nations Integrated Peacebuilding Office in Sierra Leone, as set out in resolution 1829 (2008), until 30 September 2010;

2. *Emphasizes* the importance for the United Nations Integrated Peacebuilding Office in Sierra Leone of achieving, jointly with the United Nations country team, the objectives of the joint vision within their respective mandates and, in particular, focusing on providing support to the Government of Sierra Leone in its efforts regarding constitutional reform, building police capacity, tackling corruption, illicit drug trafficking and organized crime, as well as addressing youth unemployment, supporting the preparations for the 2012 elections, and assisting the work of the Peacebuilding Commission and the Peacebuilding Fund;

3. *Encourages* the Executive Representative of the Secretary-General for Sierra Leone to pursue his action to enhance the integration and effectiveness of United Nations efforts on the ground in support of the implementation of the joint vision for Sierra Leone and of the recovery and development priorities of the Government and people of Sierra Leone;

4. *Calls upon* the Secretary-General to develop a set of benchmarks for the transition of the United Nations Integrated Peacebuilding Office in Sierra Leone into a United Nations country team presence, taking into account those already agreed upon by the Government of Sierra Leone and the United Nations in the joint vision for Sierra Leone, and the particular challenges involved in preparing for the 2012 elections, to keep them under active review, and regularly report on progress to the Security Council;

5. *Emphasizes* that the Government of Sierra Leone bears primary responsibility for peacebuilding, security and long-term development in the country, and encourages the Government to continue the implementation of the Agenda for Change, the Peacebuilding Commission to follow actively developments and mobilize international support as needed, and existing as well as potential new international donors to provide support to the Government;

6. *Calls upon* the Government of Sierra Leone, the United Nations Integrated Peacebuilding Office in Sierra Leone and all other stakeholders in the country to increase their efforts to promote good governance, including through continued measures to combat corruption, improve accountability, promote the development of the private sector to generate wealth and

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[179] PBC/3/SLE/6.

employment opportunities, intensify efforts against drug trafficking, strengthen the judiciary and promote human rights, including by implementing the recommendations of the Truth and Reconciliation Commission and sustaining support to the National Human Rights Commission;

7. *Emphasizes* the important role of women in the prevention and resolution of conflicts and in peacebuilding, as recognized in resolutions 1325 (2000) of 31 October 2000 and 1820 (2008) of 19 June 2008, underlines that a gender perspective should be taken into account in implementing all aspects of the mandate of the United Nations Integrated Peacebuilding Office in Sierra Leone, and encourages the Office to work with the Government of Sierra Leone in this regard;

8. *Requests* that the Secretary-General keep the Council informed every six months of progress made in the implementation of the mandate of the United Nations Integrated Peacebuilding Office in Sierra Leone and the present resolution;

9. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6189th meeting.

Decisions

In a letter dated 30 December 2009,[180] the President of the Security Council informed the Secretary-General that his letter dated 28 December 2009 concerning his intention to reduce the strength of the military guard force assigned to the Special Court for Sierra Leone[181] had been brought to the attention of the members of the Security Council, who took note of it.

At its 6291st meeting, on 22 March 2010, the Council decided to invite the representative of Sierra Leone to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Sierra Leone

> "Fourth report of the Secretary-General on the United Nations Integrated Peacebuilding Office in Sierra Leone (S/2010/135)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Michael von der Schulenburg, Executive Representative of the Secretary-General for Sierra Leone and Head of the United Nations Integrated Peacebuilding Office in Sierra Leone, and Mr. John McNee, Permanent Representative of Canada to the United Nations and Chair of the Sierra Leone configuration of the Peacebuilding Commission.

On 15 July 2010, the President of the Security Council addressed the following letter to the Secretary-General:[182]

> "I have the honour to inform you that your letter dated 9 July 2010 concerning your intention to seek to negotiate and conclude with the Government of Sierra Leone an agreement establishing a residual mechanism for the Special Court for Sierra Leone, and a statute of the residual mechanism,[183] has been brought to the attention of the members of the Security Council. The members have taken note of the intention expressed in the letter and agree to the proposed manner of proceeding."

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[180] The letter, which was issued as a Security Council document under the symbol S/2009/680, has been reproduced on page 35 of the present volume.

[181] S/2009/679.

[182] S/2010/385.

[183] S/2010/384.

RELATIONS BETWEEN CAMEROON AND NIGERIA[154]

Decision

On 14 December 2009, the President of the Security Council addressed the following letter to the Secretary-General:[155]

> "I have the honour to inform you that your letter dated 30 November 2009 concerning your intention to continue the activities of the United Nations support team to the Cameroon-Nigeria Mixed Commission, with funding from the regular budget[156] has been brought to the attention of the members of the Security Council. They take note of the information contained in your letter and the intention expressed therein. They also urge the members of the Mixed Commission to work with international donors to seek further voluntary contributions."

THE SITUATION IN THE GREAT LAKES REGION[157]

Decisions

At its 6215th meeting, on 9 November 2009, the Security Council considered the item entitled "The situation in the Great Lakes region".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Olusegun Obasanjo, Special Envoy of the Secretary-General for the Great Lakes Region.

THE SITUATION CONCERNING THE DEMOCRATIC REPUBLIC OF THE CONGO[158]

Decisions

At its 6203rd meeting, on 16 October 2009, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Twenty-ninth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2009/472)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Alan Doss, Special Representative of the Secretary-General for the

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[154] Resolutions or decisions on this question were first adopted by the Security Council in 1996.

[155] S/2009/643.

[156] S/2009/642.

[157] Resolutions or decisions on this question were first adopted by the Security Council in 1996.

[158] Resolutions or decisions on this question were first adopted by the Security Council in 1997.

Democratic Republic of the Congo and Head of the United Nations Organization Mission in the Democratic Republic of the Congo.

At its 6225th meeting, on 30 November 2009, the Council considered the item entitled "The situation concerning the Democratic Republic of the Congo".

Resolution 1896 (2009)
of 30 November 2009

The Security Council,

Recalling its previous resolutions, in particular resolutions 1804 (2008) of 13 March 2008, 1807 (2008) of 31 March 2008 and 1857 (2008) of 22 December 2008, and the statements by its President concerning the Democratic Republic of the Congo,

Reaffirming its commitment to the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo as well as all States in the region,

Taking note of the interim and final reports of the Group of Experts on the Democratic Republic of the Congo ("the Group of Experts") established pursuant to resolution 1771 (2007) of 10 August 2007, whose mandate was extended pursuant to resolutions 1807 (2008) and 1857 (2008),[189] and of the recommendations contained therein,

Reiterating its serious concern regarding the presence of armed groups and militias in the eastern part of the Democratic Republic of the Congo, particularly in the provinces of North and South Kivu, Ituri and Orientale Province, which perpetuates a climate of insecurity in the whole region,

Demanding that all armed groups, in particular the Forces démocratiques de libération du Rwanda and the Lord's Resistance Army, immediately lay down their arms and cease their attacks against the civilian population, demanding also that all the parties to the agreements of 23 March 2009 respect the ceasefire and implement their commitments effectively and in good faith,

Expressing its concern about the support received by armed groups operating in the eastern part of the Democratic Republic of the Congo from regional and international networks,

Welcoming the commitments of the Democratic Republic of the Congo and the countries of the Great Lakes region to jointly promote peace and stability in the region, and reiterating the importance of the Government of the Democratic Republic of the Congo and all Governments, particularly those in the region, taking effective steps to ensure that there is no support, in and from their territories, for the armed groups in the eastern part of the Democratic Republic of the Congo,

Noting with great concern the persistence of human rights and humanitarian law violations against civilians in the eastern part of the Democratic Republic of the Congo, including the killing and displacement of significant numbers of civilians, the recruitment and use of child soldiers and widespread sexual violence, stressing that the perpetrators must be brought to justice, reiterating its firm condemnation of all violations of human rights and international humanitarian law in the country, and recalling all its relevant resolutions on women and peace and security, on children and armed conflict and on the protection of civilians in armed conflict,

Stressing the primary responsibility of the Government of the Democratic Republic of the Congo for ensuring security in its territory and protecting its civilians with respect for the rule of law, human rights and international humanitarian law,

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[189] See S/2009/253 and S/2009/603.

Stressing also the need to fight impunity as an integral part of the much-needed comprehensive reform of the security sector, and strongly encouraging the Government of the Democratic Republic of the Congo to implement its "zero-tolerance policy" against criminal acts and misconduct in the armed forces,

Encouraging the Government of the Democratic Republic of the Congo to take concrete measures to reform the justice sector and implement the penitentiary system reform action plan, in order to ensure a fair and credible system against impunity,

Recalling its resolution 1502 (2003) of 26 August 2003 on the protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones,

Condemning the continuing illicit flow of weapons within and into the Democratic Republic of the Congo in violation of resolutions 1533 (2004) of 12 March 2004, 1807 (2008) and 1857 (2008), declaring its determination to continue to monitor closely the implementation of the arms embargo and other measures set out in its resolutions concerning the Democratic Republic of the Congo, and stressing the obligation of all States to abide by the notification requirements set out in paragraph 5 of resolution 1807 (2008),

Recognizing the linkage between the illegal exploitation of natural resources, illicit trade in such resources and the proliferation of and trafficking in arms as one of the major factors fuelling and exacerbating conflicts in the Great Lakes region of Africa,

Welcoming the announcement by the Department of Peacekeeping Operations of the Secretariat of its intention to develop guidelines to enhance cooperation and information-sharing between the United Nations peacekeeping missions and the Security Council sanctions committee expert panels,

Determining that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to renew until 30 November 2010 the measures on arms imposed by paragraph 1 of resolution 1807 (2008), and reaffirms the provisions of paragraphs 2, 3 and 5 of that resolution;

2. *Decides also* to renew, for the period specified in paragraph 1 above, the measures on transport imposed by paragraphs 6 and 8 of resolution 1807 (2008), and reaffirms the provisions of paragraph 7 of that resolution;

3. *Decides further* to renew, for the period specified in paragraph 1 above, the financial and travel measures imposed by paragraphs 9 and 11 of resolution 1807 (2008), and reaffirms the provisions of paragraphs 10 and 12 of that resolution regarding the individuals and entities referred to in paragraph 4 of resolution 1857 (2008);

4. *Decides* to expand the mandate of the Security Council Committee as set out in paragraph 8 of resolution 1533 (2004), expanded upon in paragraph 18 of resolution 1596 (2005) of 18 April 2005, paragraph 4 of resolution 1649 (2005) of 21 December 2005 and paragraph 14 of resolution 1698 (2006) of 31 July 2006, and reaffirmed in paragraph 15 of resolution 1807 (2008) and paragraphs 6 and 25 of resolution 1857 (2008), to include the following tasks:

(*a*) To promulgate guidelines, taking into account paragraphs 17 to 24 of resolution 1857 (2008), within six months of the date of adoption of the present resolution, in order to facilitate the implementation of the measures imposed by the present resolution, and to keep them under active review as may be necessary;

(*b*) To hold regular consultations with concerned Member States in order to ensure full implementation of the measures set forth in the present resolution;

(*c*) To specify the necessary information that Member States should provide in order to fulfil the notification requirement set out in paragraph 5 of resolution 1807 (2008) and to circulate this among Member States;

5. *Calls upon* all States, particularly those in the region and those in which individuals and entities designated pursuant to paragraph 3 of the present resolution are based, to implement fully the measures specified in the present resolution and to cooperate fully with the Committee in carrying out its mandate, and further calls upon those Member States that have not previously done so to report to the Committee, within forty-five days of the date of adoption of the present resolution, on the actions they have taken to implement the measures imposed by paragraphs 1 to 3 above;

6. *Requests* the Secretary-General to extend, for a period expiring on 30 November 2010, the mandate of the Group of Experts established pursuant to resolution 1533 (2004) and renewed by subsequent resolutions, and requests the Group of Experts to fulfil its mandate as set out in paragraph 18 of resolution 1807 (2008) and expanded by paragraphs 9 and 10 of resolution 1857 (2008), and to report to the Council in writing, through the Committee, by 21 May 2010 and again before 20 October 2010;

7. *Decides* that the mandate of the Group of Experts referred to in paragraph 6 above shall also include the task of producing, taking into account paragraph 4 (*g*) of resolution 1857 (2008), drawing, inter alia, on its reports and taking advantage of work done in other forums, recommendations to the Committee for guidelines for the exercise of due diligence by the importers, processing industries and consumers of mineral products regarding the purchase, sourcing (including steps to be taken to ascertain the origin of mineral products), acquisition and processing of mineral products from the Democratic Republic of the Congo;

8. *Requests* the Group of Experts to focus its activities in North and South Kivu, Ituri and Orientale Province, as well as on regional and international networks providing support to armed groups operating in the eastern part of the Democratic Republic of the Congo;

9. *Recommends* the Government of the Democratic Republic of the Congo to promote stockpile security, accountability and management of arms and ammunition as an urgent priority, and to implement a national weapons marking programme in line with the standards established by the Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa and the Regional Centre on Small Arms;

10. *Requests* the Governments of the Democratic Republic of the Congo and of all States, particularly those in the region, the United Nations Organization Mission in the Democratic Republic of the Congo and the Group of Experts to cooperate intensively, including by exchanging information regarding arms shipments, trading routes and strategic mines known to be controlled or used by armed groups, flights from the Great Lakes region to the Democratic Republic of the Congo and from the Democratic Republic of the Congo to the Great Lakes region, the illegal exploitation of and trafficking in natural resources, and activities of individuals and entities designated by the Committee pursuant to paragraph 4 of resolution 1857 (2008);

11. *Requests in particular* that the Mission share all relevant information with the Group of Experts, especially information on the recruitment and use of children and on the targeting of women and children in situations of armed conflict;

12. *Further demands* that all parties and all States ensure cooperation with the Group of Experts by individuals and entities within their jurisdiction or under their control, and in this regard requests all States to identify a focal point to the Committee in order to enhance cooperation and information-sharing with the Group of Experts;

13. *Reiterates its demand*, expressed in paragraph 21 of resolution 1807 (2008) and reaffirmed in paragraph 14 of resolution 1857 (2008), that all parties and all States, particularly those in the region, cooperate fully with the work of the Group of Experts and that they ensure

the safety of its members, and unhindered and immediate access, in particular to persons, documents and sites that the Group of Experts deems relevant to the execution of its mandate;

14. *Calls upon* Member States to take measures to ensure that importers, processing industries and consumers of Congolese mineral products under their jurisdiction exercise due diligence on their suppliers and on the origin of the minerals they purchase;

15. *Also calls upon* Member States to cooperate fully with the Group of Experts in respect of its mandate under paragraph 7 of the present resolution to develop recommendations for the Committee for guidelines for the exercise of due diligence, in particular by providing details of any relevant national guidelines, licensing requirements or legislation relating to trading in mineral products;

16. *Recommends* that importers and processing industries adopt policies and practices, as well as codes of conduct, to prevent indirect support to armed groups in the Democratic Republic of the Congo through the exploitation of and trafficking in natural resources;

17. *Also recommends* that Member States, particularly those in the Great Lakes region, regularly publish full import and export statistics for gold, cassiterite, coltan and wolframite;

18. *Urges* the donor community to consider providing increased technical or other assistance and support to strengthen the institutional capacity of the mining, law enforcement and border control agencies and institutions of the Democratic Republic of the Congo;

19. *Encourages* Member States to submit to the Committee, for inclusion on its list of designees, individuals or entities that meet the criteria set out in paragraph 4 of resolution 1857 (2008), as well as any entities owned or controlled, directly or indirectly, by the submitted individuals or entities, or individuals or entities acting on behalf of or at the direction of the submitted entities;

20. *Reiterates* the provisions on listing individuals and entities by Member States as set out in paragraphs 17 to 20 of resolution 1857 (2008), on de-listing individuals and entities as set out in paragraphs 22 to 24 of resolution 1857 (2008), and on the role of the Focal Point, as set out in resolution 1730 (2006) of 19 December 2006;

21. *Decides* that, when appropriate and no later than 30 November 2010, it shall review the measures set forth in the present resolution, with a view to adjusting them, as appropriate, in the light of the security situation in the Democratic Republic of the Congo, in particular progress in security sector reform, including the integration of the armed forces and the reform of the national police, and in disarming, demobilizing, repatriating, resettling and reintegrating, as appropriate, Congolese and foreign armed groups;

22. *Decides also* to remain actively seized of the matter.

Adopted unanimously at the 6225th meeting.

Decisions

At its 6244th meeting, on 16 December 2009, the Security Council considered the item entitled:

"The situation concerning the Democratic Republic of the Congo

"Thirtieth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2009/623)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Alan Doss, Special Representative of the Secretary-General for the Democratic Republic of the Congo and Head of the United Nations Organization Mission in the Democratic Republic of the Congo.

At its 6253rd meeting, on 23 December 2009, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Thirtieth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2009/623)"

Resolution 1906 (2009)
of 23 December 2009

The Security Council,

Recalling its previous resolutions, in particular resolutions 1843 (2008) of 20 November 2008, 1856 (2008) of 22 December 2008 and 1896 (2009) of 30 November 2009, and the statements by its President concerning the Democratic Republic of the Congo,

Reaffirming its commitment to the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo,

Stressing the primary responsibility of the Government of the Democratic Republic of the Congo for ensuring security in its territory and protecting its civilians with respect for the rule of law, human rights and international humanitarian law, and stressing also the importance of urgently undertaking comprehensive and lasting security sector reform and of permanently disarming, demobilizing, resettling or repatriating, as appropriate, and reintegrating Congolese and foreign armed groups for the long-term stabilization of the Democratic Republic of the Congo, and of the contribution made by international partners in this field,

Calling upon all parties to armed conflict in the Great Lakes region to comply with the obligations applicable to them under international humanitarian law to take all required steps to protect civilians and to facilitate the rapid and unimpeded passage of relief consignments, equipment and personnel,

Encouraging the countries of the Great Lakes region to maintain a high level of commitment to jointly promote peace and stability in the region, and welcoming the recent improvements in the relations between the Governments of the Democratic Republic of the Congo and Rwanda, Uganda and Burundi,

Stressing that the Goma and Nairobi processes as well as the agreements of 23 March 2009 are the appropriate framework for stabilizing the situation in the eastern part of the Democratic Republic of the Congo, and urging all parties to fully abide by and implement those agreements,

Deeply concerned that some militias and armed groups in the eastern part of the Democratic Republic of the Congo have not yet laid down their arms and continue to prey on the population,

Expressing its extreme concern at the deteriorating humanitarian and human rights situation and the continued impunity of those responsible for human rights abuses and other atrocities, condemning, in particular, the targeted attacks against the civilian population, widespread sexual violence, recruitment and use of child soldiers and extrajudicial executions, stressing the urgent need for the Government of the Democratic Republic of the Congo, in cooperation with the United Nations Organization Mission in the Democratic Republic of the Congo and other relevant actors, to end violations of human rights and international humanitarian law, and to bring the perpetrators to justice, and calling upon Member States to assist in this regard and to continue to provide medical, humanitarian and other assistance to victims,

Calling upon all parties concerned to create the conditions conducive to a voluntary, safe, dignified and sustainable return of refugees and internally displaced persons,

Welcoming the commitments made by the Government of the Democratic Republic of the Congo to hold accountable those responsible for atrocities in the country, noting the cooperation of the Government with the International Criminal Court, and stressing the importance of actively seeking to hold accountable those responsible for war crimes and crimes against humanity in the country,

Recalling its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009 and 1889 (2009) of 5 October 2009 on women and peace and security, its resolution 1502 (2003) of 26 August 2003 on the protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones, its resolutions 1674 (2006) of 28 April 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict and its resolutions 1612 (2005) of 26 July 2005 and 1882 (2009) of 4 August 2009 on children and armed conflict, and recalling also the conclusions of the Security Council Working Group on Children and Armed Conflict pertaining to parties to the armed conflict in the Democratic Republic of the Congo,[190]

Emphasizing that the linkage between the illicit exploitation of and trade in natural resources and the proliferation of and trafficking in arms is one of the major factors fuelling and exacerbating conflicts in the Great Lakes region, particularly in the Democratic Republic of the Congo, urging all States, particularly those in the region, to implement fully the measures set out in its resolution 1896 (2009), and reiterating its determination to continue to closely monitor the implementation of and compliance with the measures set out in resolution 1896 (2009),

Underscoring the long-term, sustainable efforts needed from the Government of the Democratic Republic of the Congo to provide a calendar for local, general and presidential elections, with full respect for the provisions of the Constitution, to consolidate democracy and promote the rule of law, democratic governance, recovery and development, with the support of its international partners,

Expressing its full support for the Mission, condemning all attacks against United Nations peacekeepers and humanitarian personnel, regardless of the perpetrators, and emphasizing that those responsible for such attacks must be brought to justice,

Taking note of the thirtieth regular report of the Secretary-General on the Mission, of 4 December 2009,[191] and of the recommendations contained therein,

Determining that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the deployment of the United Nations Organization Mission in the Democratic Republic of the Congo until 31 May 2010, with the intention to extend it further at that date for twelve months, authorizes the continuation until that date of up to 19,815 military personnel, 760 military observers, 391 police personnel and 1,050 personnel of formed police units, and stresses its intention to consider in the subsequent resolution assessing and adjusting the mandate and to remain strongly committed to contributing to the long-term stability of the Democratic Republic of the Congo;

2. *Requests* the Secretary-General to conduct a strategic review of the situation in the Democratic Republic of the Congo and the progress of the Mission towards achieving its mandate, taking into account the Integrated Strategic Framework for the United Nations presence in the country, to further develop the existing benchmarks for this purpose, to determine, in close cooperation with the Government of the Democratic Republic of the Congo and troop- and police-contributing countries of the Mission, the modalities of a reconfiguration of the mandate of the Mission, in particular the critical tasks that need to be

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[190] S/AC.51/2009/3.

[191] S/2009/623.

accomplished before the Mission can envisage its drawdown without triggering a relapse into instability, and to report to the Security Council with recommendations by 1 April 2010;

3. *Urges* the Government of the Democratic Republic of the Congo to establish sustainable peace in the eastern part of the country, to effectively protect the civilian population, to develop sustainable security sector institutions which fully respect the rule of law, and to ensure respect for human rights and the fight against impunity by strengthening the capacity of the judicial and correctional systems;

4. *Recognizes* the interrelated nature of the effective protection of civilians, the reduction and removal of the threat of armed groups, and comprehensive and sustainable security sector reform, and underlines that efforts made in each of these key areas contribute significantly and with complementarity both to the aim of improving the humanitarian situation and to the strategic objective of peace and stability in the Democratic Republic of the Congo;

5. *Decides* that, from the adoption of the present resolution, the Mission, working in close cooperation with the Government of the Democratic Republic of the Congo, shall have the following mandate, in order of priority:

(*a*) To ensure the effective protection of civilians, humanitarian personnel and United Nations personnel and facilities, in accordance with paragraphs 3 (*a*) to (*e*) and 4 (*c*) of resolution 1856 (2008) and paragraphs 7 to 18 below;

(*b*) To carry out enhanced activities of disarmament, demobilization and reintegration of Congolese armed groups and of disarmament, demobilization, repatriation, resettlement and reintegration of foreign armed groups, including as set out in paragraphs 19 to 28 below and paragraphs 3 (*n*) to (*p*) of resolution 1856 (2008);

(*c*) To support the security sector reform led by the Government of the Democratic Republic of the Congo, including as set out in paragraphs 29 to 38 below;

6. *Authorizes* the Mission to use all necessary means, within the limits of its capacity and in the areas where its units are deployed, to carry out the tasks of its mandate listed in paragraphs 3 (*a*) to (*e*) of resolution 1856 (2008) and paragraphs 9, 20, 21 and 24 below;

Protection of civilians, including humanitarian personnel and human rights defenders, and United Nations personnel and facilities

7. *Emphasizes* that the protection of civilians, as described in paragraph 5 (*a*) above, must be given priority in decisions about the use of available capacity and resources, over any of the other tasks described in paragraphs 5 (*b*) and (*c*) above;

8. *Recalls* that the protection of civilians requires a coordinated response from all relevant Mission components, and encourages the Mission to enhance interaction, under the authority of the Special Representative of the Secretary-General for the Democratic Republic of the Congo, between its civil and military components at all levels and humanitarian actors, in order to consolidate expertise on the protection of civilians;

9. *Requests* the Mission to build on best practices and extend successful protection measures piloted in North Kivu, in particular the establishment of joint protection teams, early warning centres, communications liaisons with local villages and other measures, to other areas, particularly South Kivu;

10. *Demands* that all armed groups, in particular the Forces démocratiques de libération du Rwanda and the Lord's Resistance Army, immediately cease all forms of violence and human rights abuse against the civilian population in the Democratic Republic of the Congo, in particular gender-based violence, including rape and other forms of sexual abuse;

11. *Demands also* that the Government of the Democratic Republic of the Congo, in furtherance of resolution 1888 (2009), immediately take appropriate measures to protect civilians, including women and children, from violations of international humanitarian law and human

rights abuses, including all forms of sexual violence, urges the Government to ensure the full implementation of its "zero-tolerance policy" with respect to discipline and human rights violations, including sexual and gender-based violence, committed by elements of the Armed Forces of the Democratic Republic of the Congo, and further urges that all reports of such violations be thoroughly investigated, with the support of the Mission, and that all those responsible be brought to justice through a robust and independent process;

12. *Requests* the Secretary-General to continue to fully investigate the allegations of sexual exploitation and abuse by civilian and military personnel of the Mission, and to take the appropriate measures set out in the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse;[192]

13. *Also requests* the Secretary-General to ensure that technical support is provided, in predeployment and in theatre, to troop- and police-contributing countries of the Mission, to include guidance and training for military and police personnel on the protection of civilians from imminent threat and appropriate responses, including on human rights, sexual violence and gender issues;

14. *Encourages* the Mission to enhance its interaction with the civilian population to raise awareness and understanding about its mandate and activities and to collect reliable information on violations of international humanitarian law and human rights abuses perpetrated against civilians;

15. *Demands* that all armed groups, in particular the Forces démocratiques de libération du Rwanda and the Lord's Resistance Army, immediately stop recruiting and using children and release all children associated with them, and calls upon the Government of the Democratic Republic of the Congo to continue to work with the Mission, the monitoring and reporting mechanism and other relevant actors to finalize the elaboration of an action plan to release children present in the Armed Forces of the Democratic Republic of the Congo and to prevent further recruitment;

16. *Calls upon* the Governments of the Great Lakes region to coordinate their efforts to address the threat posed by the Lord's Resistance Army and strongly encourages enhanced regular information-sharing about the Lord's Resistance Army, in this respect, with the United Nations Organization Mission in the Democratic Republic of the Congo and other United Nations missions in the areas where the Lord's Resistance Army is threatening the population, and requests the Secretary-General to enhance cooperation and information-sharing between United Nations missions in the region on all issues related to regional security threats;

17. *Calls upon* the States in the region to ensure that any military actions against armed groups are carried out in accordance with international humanitarian, human rights and refugee law and that they take appropriate measures to protect civilians and reduce the impact of military actions upon the civilian population, including through regular contacts with and early warning of the civilian population on potential attacks;

18. *Requests* the Special Representative to identify women's protection advisers among the gender advisers and human rights protection units of the Mission in line with its comprehensive strategy against sexual violence;

Disarmament, demobilization and reintegration of Congolese armed groups and disarmament, demobilization, repatriation, resettlement and reintegration of foreign armed groups

19. *Demands* that all armed groups, in particular the Forces démocratiques de libération du Rwanda, the Lord's Resistance Army and other foreign armed groups, immediately lay down their arms, and demands further that the Congolese armed groups present themselves without any

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[192] ST/SGB/2003/13.

further delay or preconditions to the Congolese authorities and the Mission for disarmament, demobilization and reintegration, and that the foreign armed groups similarly present themselves to the Congolese authorities and the Mission for disarmament, demobilization, repatriation, resettlement and reintegration;

20. *Underlines* that the Mission shall deter any attempt at the use of force to threaten the Goma and Nairobi processes from any armed group, particularly in the eastern part of the Democratic Republic of the Congo, and undertake all operations necessary to prevent attacks on civilians and disrupt the military capability of armed groups that continue to use violence in that area;

21. *Requests* the Mission, working in close cooperation with the Government of the Democratic Republic of the Congo, to continue its coordination of operations with the brigades of the Armed Forces of the Democratic Republic of the Congo deployed in the eastern part of the Democratic Republic of the Congo, premised on the protection of civilians as a priority and on operations being jointly planned with these brigades, and in accordance with its policy paper referred to in paragraph 23 below, with a view to:

(*a*) Disarming foreign and Congolese armed groups in targeted areas in order to ensure their participation in the disarmament, demobilization, repatriation, resettlement and reintegration and disarmament, demobilization and reintegration process;

(*b*) Holding the territories cleared of armed groups in order to ensure the protection of civilian populations;

(*c*) Helping the Government of the Democratic Republic of the Congo to restore its authority in these territories, in particular in the eastern part of the Democratic Republic of the Congo, areas freed from armed groups and key mining areas;

(*d*) Carrying out enhanced efforts to prevent the provision of support to armed groups, including support derived from illicit economic activities and illicit trade in natural resources;

22. *Reiterates*, consistent with paragraphs 3 (*g*) and 14 of resolution 1856 (2008), that the support of the Mission to military operations against foreign and Congolese armed groups led by the Armed Forces of the Democratic Republic of the Congo is strictly conditioned on compliance by the Armed Forces with international humanitarian, human rights and refugee law and on an effective joint planning of these operations, decides that the military leadership of the Mission shall confirm, prior to providing any support to such operations, that sufficient joint planning has been undertaken, especially regarding the protection of the civilian population, calls upon the Mission to intercede with the Armed Forces command if elements of a unit of the Armed Forces receiving support from the Mission are suspected of having committed grave violations of such laws, and, if the situation persists, calls upon the Mission to withdraw support from those units of the Armed Forces;

23. *Notes*, in this regard, the development by the Mission of a policy paper setting out the conditions under which the Mission can provide support to units of the Armed Forces of the Democratic Republic of the Congo, and requests the Secretary-General to establish an appropriate mechanism to regularly assess the implementation of this policy;

24. *Urges* the Mission, in close cooperation with other partners, including the World Bank and the United Nations Development Programme, to contribute further to the implementation of the disarmament, demobilization and reintegration of Congolese combatants and their dependents, with particular attention to children, by monitoring the disarmament process and providing, as appropriate, security in some sensitive locations, as well as by supporting reintegration efforts pursued by the Congolese authorities in cooperation with the United Nations country team and bilateral and multilateral partners;

25. *Also urges* the Mission to enhance its support to the voluntary demobilization and repatriation of disarmed foreign combatants and their dependents, and calls upon the Governments of the Democratic Republic of the Congo and the neighbouring States to remain engaged in this process;

26. *Urges* the Governments of the Democratic Republic of the Congo and Rwanda to work together and to agree on a clear set of end-state objectives on the Forces démocratiques de libération du Rwanda, within the framework of a multidimensional approach;

27. *Urges* all States to take appropriate legal action against leaders of the Forces démocratiques de libération du Rwanda residing in their countries, including through effective implementation of the sanctions regime established by resolution 1533 (2004) of 12 March 2004 and renewed by resolution 1896 (2009);

28. *Also urges* all States, especially those in the region, to take appropriate steps to end the illicit trade in natural resources, including, if necessary, through judicial means, and, where necessary, to report to the Council, and urges the Mission, in accordance with paragraph 3 (j) of resolution 1856 (2008), to consolidate and assess, jointly with the Government of the Democratic Republic of the Congo, the pilot project of bringing together all State services in five trading counters in North and South Kivu in order to improve the traceability of mineral products;

Support for security sector reform

29. *Reiterates* the primary responsibility of the Government of the Democratic Republic of the Congo regarding the reform of the security sector, and encourages the Government, working in cooperation with the Mission and other international partners, to build a core, well-vetted, multi-ethnic force, whose size, composition and structure should be developed by the Government, with the support of the Mission, with a view to strengthening the capacity, discipline and professionalism of the Armed Forces of the Democratic Republic of the Congo;

30. *Requests* the Mission, in cooperation with the Congolese authorities, to coordinate the efforts of the international community, including all bilateral and multilateral actors working in this field, on security sector reform issues, and calls upon all Member States and international organizations to fully cooperate with the Mission in this regard;

31. *Further requests* the Mission to provide military training, including in the area of human rights, international humanitarian law, child protection and the prevention of gender-based and sexual violence, to the Armed Forces of the Democratic Republic of the Congo, including to the integrated brigades deployed in the eastern part of the Democratic Republic of the Congo, as part of broader international efforts to support security sector reform;

32. *Reiterates its call upon* the Congolese authorities, with the support of the Mission, to establish an effective vetting mechanism, in accordance with international standards, for the Armed Forces of the Democratic Republic of the Congo and the national security forces, to ensure the exclusion of those persons associated with violations of international humanitarian law and human rights abuses and to trigger the judicial process against such persons where appropriate;

33. *Encourages* the Government of the Democratic Republic of the Congo, with the support of the Mission, to ensure that armed groups newly integrated into the Armed Forces of the Democratic Republic of the Congo are deployed throughout the country and not restricted to their regions of origin;

34. *Urges* the Government of the Democratic Republic of the Congo to expeditiously adopt legislation related to the reform of the Armed Forces of the Democratic Republic of the Congo, the High Defence Council and the status of the military personnel of the Armed Forces by the Parliament, as well as the legislation on police reform, also urges the Government to ensure progress in their implementation within the time frame of the present resolution, and urges further the adoption of a comprehensive national strategy for the security sector on the whole territory;

35. *Requests* that the Government of the Democratic Republic of the Congo, with the support of the Mission and other international partners, ensure appropriate conditions for the Armed Forces of the Democratic Republic of the Congo, including attributing ranks to the newly integrated elements, ensuring salary payments and equipment and providing barracks;

36. *Calls upon* all the parties to the agreements of 23 March 2009 to fulfil their commitments and accelerate the implementation of all aspects of the agreements, and requests the Mission to assist in this regard by helping with the integration of the armed groups and the establishment of mechanisms for resolving local disputes as foreseen in those agreements;

37. *Recommends* that the Government of the Democratic Republic of the Congo, in particular through the Armed Forces of the Democratic Republic of the Congo and the Congolese National Police, working in cooperation with the Mission, pursue its efforts to maintain a comprehensive and accurate database containing all available information on the weapons and ammunition in their custody;

38. *Demands* that all parties cooperate fully with the operations of the Mission and that they ensure the security of, and unhindered and immediate access for, United Nations and associated personnel in carrying out their mandate, throughout the territory of the Democratic Republic of the Congo, and requests the Secretary-General to report without delay any failure to comply with these demands;

39. *Requests* the Mission and the United Nations country team to continue their support to extend State authority in the Democratic Republic of the Congo, in particular within the framework of the Government's Stabilization and Reconstruction Plan and the United Nations Security and Stabilization Support Strategy, with a particular emphasis on strengthening democratic institutions and building effective rule of law capacity, including justice and corrections;

40. *Requests* the Secretary-General to provide a briefing on the implementation of the system-wide protection strategy and a progress report on the Integrated Strategic Framework to the Security Council and troop- and police-contributing countries by 16 February 2010;

41. *Also requests* the Secretary-General to provide a full report on the situation in the Democratic Republic of the Congo and on the activities of the Mission by 1 April 2010, in order to prepare the strategic review as set out in paragraph 2 of the present resolution, and requests that this full report include:

(*a*) Specific information on the challenges of the Mission's role in the protection of civilians, an assessment of existing protection mechanisms, in particular the measures described in paragraphs 8, 9, 11, 12 and 13 of the present resolution, and an assessment of special measures for protection from sexual violence;

(*b*) An assessment of the implementation of the policy paper setting out the conditions of support by the Mission to the Armed Forces of the Democratic Republic of the Congo as described in paragraphs 22 and 23 of the present resolution;

(*c*) Information on the further deployment and use of the additional capabilities authorized by resolution 1843 (2008);

(*d*) An assessment of the progress in the security sector reform, including the effectiveness of the training measures set out in paragraph 31 of the present resolution;

42. *Commends* the contribution of troop- and police-contributing countries and donors to the Mission, and calls upon Member States to pledge and contribute the remaining helicopters, air capabilities, intelligence assets and other force enablers required for the Mission;

43. *Requests* the Secretary-General to ensure that the concept of operations and rules of engagement of the Mission are regularly updated to bring them fully in line with the provisions of the present resolution and to report on this to the Council and troop-contributing countries;

44. *Also requests* the Secretary-General, through his Special Representative, to continue to coordinate all the activities of the United Nations system in the Democratic Republic of the Congo;

45. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6253rd meeting.

Decisions

At its 6297th meeting, on 13 April 2010, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Thirty-first report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2010/164)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Alan Doss, Special Representative of the Secretary-General for the Democratic Republic of the Congo and Head of the United Nations Organization Mission in the Democratic Republic of the Congo.

On 14 April 2010, the President of the Security Council addressed the following letter to the Secretary-General:[193]

> "I have the honour to inform you that the members of the Security Council have decided to send a mission to Africa (Democratic Republic of the Congo), tentatively from 16 to 20 April 2010. Ambassador Gérard Araud, of France, will lead the mission. The members of the Council have agreed on the terms of reference of the mission (see annex).
>
> "Following consultations with the members, it has been agreed that the composition of the mission is as follows:
>
> "Austria (Ambassador Thomas Mayr-Harting)
>
> "Bosnia and Herzegovina (Ambassador Ivan Barbalić)
>
> "Brazil (Ambassador Maria Luiza Ribeiro Viotti)
>
> "China (Counsellor Du Xiaocong)
>
> "France (Ambassador Gérard Araud)
>
> "Gabon (Ambassador Alfred Moungara Moussotsi)
>
> "Japan (Ambassador Norihiro Okuda)
>
> "Lebanon (Ambassador Nawaf Salam)
>
> "Mexico (Counsellor Guillermo Puente)
>
> "Nigeria (Ambassador Raff Bukun-Olu Wole Onemola)
>
> "Russian Federation (Minister Alexander Pankin)
>
> "Turkey (Ambassador Ertuğrul Apakan)
>
> "Uganda (Ambassador Ruhakana Rugunda)

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[193] S/2010/187.

"United Kingdom of Great Britain and Northern Ireland (Ambassador Mark Lyall Grant)

"United States of America (Ambassador Brooke D. Anderson)

"I should be grateful if you could have the present letter and its annex circulated as a document of the Security Council.

"Annex

"Security Council mission to Africa: terms of reference

"A. Regional issues

"The central objective of the Security Council mission to Africa in April 2010 is to discuss the mandate and configuration of the United Nations Organization Mission in the Democratic Republic of the Congo and the future of the United Nations presence in the Democratic Republic of the Congo. To this end, it will take this opportunity:

"1. To recall the primary responsibility of the Council for the maintenance of international peace and security and its commitment to the sovereignty, territorial integrity and political independence of all States in the Great Lakes region.

"2. To express the strong support of the Council for the improvement of relations among the countries of the region and to encourage them to continue reinforcing cooperation in all fields, especially on political, economic and security issues, in order to guarantee the long-term stabilization of the Great Lakes region.

"3. To reiterate support for the strengthening of the regional dynamic, including through the development, where appropriate, of economic projects of common interest and the implementation of appropriate steps to facilitate legal trade and put an end to illegal trafficking in natural resources, as means to consolidate peace and security.

"4. To reiterate that all parties should contribute to stabilizing the eastern part of the Democratic Republic of the Congo, to encourage the Rwandan and Congolese authorities to work together and agree on a clear set of end-state objectives on the Forces démocratiques de libération du Rwanda, within the framework of a multidimensional approach, and to recall the importance of full implementation of relevant Council resolutions, including resolution 1896 (2009), as a means to stabilize the situation.

"5. To emphasize the support of the Council for action against the Lord's Resistance Army, to invite Governments in the region to develop a regional strategy to address the violations and abuses committed against civilians by the Lord's Resistance Army, taking into account existing regional mechanisms as well as the need to effectively protect the affected population, and to discuss the role of United Nations peacekeeping missions in the Lord's Resistance Army-affected areas.

"B. Democratic Republic of the Congo (specific elements)

"6. To recognize the primary responsibility of the Government of the Democratic Republic of the Congo to consolidate peace and stability, to promote recovery and development in the country, to protect civilians and to develop sustainable security sector institutions, and to express the continued support of the Security Council in this regard.

"7. To reaffirm the commitment of the Council to the United Nations Organization Mission in the Democratic Republic of the Congo and to discuss the future reconfiguration of the Mission, in particular the critical tasks that need to be accomplished before the Mission can envisage its drawdown without triggering a relapse into instability, taking into account the discussions of the technical assessment mission with the Congolese authorities in March 2010.

"8. To reiterate the continuing concerns of the Council about the protection of civilians, to discuss the implementation of Council resolution 1906 (2009), to address the situation of internally displaced civilians and to advocate for respect for human rights and international humanitarian law, and for the need to address sexual-violence and child-protection issues, bearing in mind the conclusions of the Security Council Working Group on Children and Armed Conflict,[190] to recall the importance of the fight against impunity, inter alia, by strengthening the capacity of the judicial and correctional systems and to reiterate its recognition of the interrelated nature of the effective protection of civilians, the reduction and removal of the threat of armed groups, and comprehensive and sustainable security sector reform.

"9. To review the progress of and discuss with the Congolese authorities their plans for a comprehensive and sustainable reform of the security sector, in particular the implementation of the national plan for the reform of the army as well as the action plans to reform the police and the national action plan for the reform of the justice system, and the role of the United Nations and the wider international community in support of their implementation.

"10. To get updates on Operation Amani Leo and the cooperation between the Armed Forces of the Democratic Republic of the Congo and the Mission against armed groups, and to reaffirm that all military operations should be carried out in accordance with international humanitarian, human rights and refugee law, as set out in the mandate of the Mission.

"11. To reiterate the support of the Council for the strengthening of democratic institutions, the rule of law and good governance in the Democratic Republic of the Congo, including through the holding of elections.

"12. To draw insights from the experience of the Mission that can inform the members of the Council on current and future peacekeeping operations."

On 4 May 2010, the President of the Security Council addressed the following letter to the Secretary-General:[194]

"Further to the letter dated 10 March 2010 and the letter dated 14 April 2010[193] regarding the Security Council mission to Africa, I have the honour to inform you that the members of the Council have agreed to undertake the rescheduled mission to the Democratic Republic of the Congo from 13 to 16 May 2010. The terms of reference of the mission remain as communicated to you earlier. However, the revised composition of the mission is as follows:

"Austria (Ambassador Thomas Mayr-Harting)

"Bosnia and Herzegovina (Ambassador Ivan Barbalić)

"Brazil (Ambassador Maria Luiza Ribeiro Viotti)

"China (Counsellor Du Xiaocong)

"France (Ambassador Gérard Araud)

"Gabon (Ambassador Alfred Moungara Moussotsi)

"Japan (Ambassador Norihiro Okuda)

"Lebanon (Counsellor Caroline Ziade)

"Mexico (Counsellor Guillermo Puente)

"Nigeria (Ambassador Raff Bukun-Olu Wole Onemola)

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[194] S/2010/187/Add.1.

"Russian Federation (Minister Alexander Pankin)

"Turkey (Ambassador Ertuğrul Apakan)

"Uganda (Ambassador Ruhakana Rugunda)

"United Kingdom of Great Britain and Northern Ireland (Ambassador Philip Parham)

"United States of America (Ambassador Brooke D. Anderson)

"I should be grateful if you could have the present letter issued as a document of the Security Council."

At its 6324th meeting, on 28 May 2010, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Thirty-first report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2010/164)".

Resolution 1925 (2010)
of 28 May 2010

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the Democratic Republic of the Congo,

Reaffirming its commitment to the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo,

Acknowledging the progress made in the Democratic Republic of the Congo, considering the challenges that it has had to overcome during the past fifteen years,

Stressing the primary responsibility of the Government of the Democratic Republic of the Congo for ensuring security in its territory and protecting its civilians with respect for the rule of law, human rights and international humanitarian law, stressing the urgency of implementing comprehensive security sector reform and of achieving, as appropriate, the disarmament, demobilization and reintegration of Congolese armed groups and the disarmament, demobilization, repatriation, resettlement and reintegration of foreign armed groups for the long-term stabilization of the Democratic Republic of the Congo, considering the need to create the security conditions for ensuring sustainable economic development, and stressing the importance of the contribution made by international partners in these fields,

Stressing also the significant security challenges in the Democratic Republic of the Congo, in particular in the Kivus and Orientale Province, posed by the continued presence of armed groups, the ongoing need to establish effective State authority, the possible resurgence of conflicts as internally displaced persons and refugees return and the continued illegal exploitation of natural resources, and determined to avoid a security vacuum that could trigger renewed instability in the country,

Encouraging the countries of the Great Lakes region to maintain a high level of commitment to jointly promote peace and stability in the region, including through existing regional mechanisms, and to intensify their efforts on regional economic development,

Stressing that the Goma and Nairobi processes as well as the agreements of 23 March 2009 have contributed to stabilizing the situation in the eastern part of the Democratic Republic of the Congo, and urging all parties to fully abide by those agreements, *Recognizing* the importance of supporting peacebuilding efforts in order to consolidate and achieve further progress in the stabilization of the country, and stressing the need for sustained international support to ensure early recovery activities and lay the foundations for sustainable development,

Emphasizing that the linkage between the illicit exploitation of and trade in natural resources and the proliferation of and trafficking in arms is among the major factors fuelling and exacerbating conflicts in the Great Lakes region, urging all States, particularly those in the region, to implement fully the measures set out in its resolution 1896 (2009) of 30 November 2009, reiterating its determination to continue to closely monitor the implementation of and compliance with the measures set out in resolution 1896 (2009), and urging all States to take legal action, where appropriate, in accordance with those measures, against the leaders of the Forces démocratiques de libération du Rwanda residing in their countries,

Supporting the efforts of the Government of the Democratic Republic of the Congo to finalize the electoral calendar for local, general and presidential elections within the constitutional framework, with a view to consolidating democracy and promoting the rule of law,

Remaining greatly concerned by the humanitarian and human rights situation in areas affected by armed conflicts, condemning, in particular, the targeted attacks against the civilian population, widespread sexual violence, the recruitment and use of child soldiers and extrajudicial executions, and stressing the urgent need for the Government of the Democratic Republic of the Congo, in cooperation with the United Nations and other relevant actors, to end violations of human rights and international humanitarian law, fight impunity and bring the perpetrators to justice and provide medical, humanitarian and other assistance to victims,

Welcoming the commitments made by the Government of the Democratic Republic of the Congo to hold accountable those responsible for atrocities in the country, noting the cooperation of the Government with the International Criminal Court, and stressing the importance of actively seeking to hold accountable those responsible for war crimes and crimes against humanity in the country and of regional cooperation to this end,

Recalling its resolutions 1325 (2000) of 31 October 2000 and 1888 (2009) of 30 September 2009 on women and peace and security, its resolution 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict and its resolution 1882 (2009) of 4 August 2009 on children and armed conflict, and recalling the conclusions of the Security Council Working Group on Children and Armed Conflict pertaining to parties to the armed conflict in the Democratic Republic of the Congo,[190]

Condemning all attacks against United Nations peacekeepers and humanitarian personnel, regardless of the perpetrators, and emphasizing that those responsible for such attacks must be brought to justice,

Commending the valuable contribution that the United Nations Organization Mission in the Democratic Republic of the Congo has made to the recovery of the Democratic Republic of the Congo from conflict and to the improvement of the country's peace and security,

Emphasizing the importance of the continued support of the United Nations and the international community for the long-term security and development of the Democratic Republic of the Congo,

Having considered the report of the Secretary-General of 30 March 2010,[195] and sharing the view that the Democratic Republic of the Congo is now entering a new phase of its transition towards peace consolidation and that a strong partnership between the United Nations and the Government of the Democratic Republic of the Congo to face these challenges is needed,

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[195] S/2010/164.

Aware of the persistent challenges to the stability of the Democratic Republic of the Congo, and determining that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo until 30 June 2010, and also decides that, in view of the new phase that has been reached in the Democratic Republic of the Congo, the United Nations mission in that country shall, as from 1 July 2010, bear the title of United Nations Organization Stabilization Mission in the Democratic Republic of the Congo;

2. *Decides also* that the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo shall be deployed until 30 June 2011, and authorizes that the Mission shall comprise, in addition to the appropriate civilian, judiciary and correction components, a maximum of 19,815 military personnel, 760 military observers, 391 police personnel and 1,050 personnel of formed police units;

3. *Authorizes* the withdrawal of up to 2,000 United Nations military personnel by 30 June 2010 from areas where the security situation permits;

4. *Authorizes* the Mission, while concentrating its military forces in the east of the country, to keep a reserve force capable of redeploying rapidly elsewhere in the country;

5. *Emphasizes* that the Government of the Democratic Republic of the Congo bears primary responsibility for security, peacebuilding and development in the country, and encourages the Government to remain fully committed to protecting the population through the establishment of professional and sustainable security forces, to promote non-military solutions as an integral part of the overall solution for reducing the threat posed by Congolese and foreign armed groups and to restore full State authority in the areas freed from armed groups;

6. *Decides* that future reconfigurations of the Mission should be determined on the basis of the evolution of the situation on the ground and on the achievement of the following objectives to be pursued by the Government of the Democratic Republic of the Congo and the United Nations mission:

(i) The completion of the ongoing military operations in the Kivus and Orientale Province, resulting in minimizing the threat of armed groups and restoring stability in sensitive areas;

(ii) An improved capacity of the Government of the Democratic Republic of the Congo to effectively protect the population through the establishment of sustainable security forces with a view to progressively taking over the security role of the Mission;

(iii) The consolidation of State authority throughout the territory, through the deployment of Congolese civil administration, in particular the police, territorial administration and rule of law institutions in areas freed from armed groups;

7. *Encourages* enhanced dialogue and partnership between the Government of the Democratic Republic of the Congo and the United Nations mission in the country, decides to keep under continuous review the strength of the Mission on the basis of assessments by the Secretary-General and by the Government as provided to the Secretary-General on progress towards the implementation of the objectives presented in paragraph 6 above, and to that end requests the Secretary-General to report on those assessments regularly to the Security Council, through the reports mentioned in paragraph 20 below, to enable the Council to make informed decisions and seize opportunities for reconfiguration;

8. *Commends* the improvements in the relations between the Democratic Republic of the Congo and the neighbouring countries since 2009, calls upon all countries, in particular those in the region, to join their efforts to ensure sustainable peace consolidation in the eastern part of the Democratic Republic of the Congo, notably with regard to paragraph 6 (i) above and the fight

against the illegal exploitation of natural resources, and urges the Governments of the Democratic Republic of the Congo and Rwanda to continue to work together and to agree on a clear set of end-state objectives on the Forces démocratiques de libération du Rwanda, within the framework of a multidimensional approach;

9. *Calls upon* the United Nations system, along with international partners, to focus its efforts on helping the Government of the Democratic Republic of the Congo to consolidate the conditions to ensure effective protection of civilians and sustainable development in the Democratic Republic of the Congo, requests the Secretary-General to continue to coordinate all the activities of the United Nations system in the country through continued cooperation between the Mission and the United Nations country team under the authority of his Special Representative for the Democratic Republic of the Congo, and encourages the international and donor community to support the activities of the country team;

10. *Encourages* the United Nations country team, along with international partners, to support the efforts of the Government of the Democratic Republic of the Congo on peace consolidation and development activities in order to provide long-term stability in the country;

11. *Emphasizes* that the protection of civilians must be given priority in decisions about the use of available capacity and resources, and authorizes the Mission to use all necessary means, within the limits of its capacity and in the areas where its units are deployed, to carry out its protection mandate as set out in paragraphs 12 (*a*) to (*k*) and (*t*) below;

12. *Decides* that the Mission shall have the following mandate in this order of priority:

Protection of civilians

(*a*) To ensure the effective protection of civilians, including humanitarian personnel and human rights defenders, under imminent threat of physical violence, in particular violence emanating from any of the parties engaged in the conflict;

(*b*) To ensure the protection of United Nations personnel, facilities, installations and equipment;

(*c*) To support the efforts of the Government of the Democratic Republic of the Congo to ensure the protection of civilians from violations of international humanitarian law and human rights abuses, including all forms of sexual and gender-based violence, to promote and protect human rights and to fight impunity, including through the implementation of the Government's "zero-tolerance policy" with respect to discipline and human rights and humanitarian law violations committed by elements of the security forces, in particular the newly integrated elements;

(*d*) To support national and international efforts to bring perpetrators to justice, including by establishing prosecution support cells to assist the military justice authorities of the Armed Forces of the Democratic Republic of the Congo in prosecuting persons arrested by the Armed Forces;

(*e*) To work closely with the Government of the Democratic Republic of the Congo to ensure the implementation of its commitments to address serious violations against children, in particular the finalization of the action plan to release children present in the Armed Forces of the Democratic Republic of the Congo and to prevent further recruitment, with the support of the monitoring and reporting mechanism;

(*f*) To implement the United Nations system-wide protection strategy in the Democratic Republic of the Congo, operationalizing it with the Mission's protection strategy built on best practices, and extend useful protection measures, such as the joint protection teams, community liaison interpreters, joint investigation teams, surveillance centres and women's protection advisers;

(*g*) To support the efforts of the Government of the Democratic Republic of the Congo, along with international partners and neighbouring countries, to create an environment conducive to the voluntary, safe and dignified return of internally displaced persons and refugees, or voluntary local integration or resettlement;

(*h*) To support the efforts of the Government of the Democratic Republic of the Congo to bring the ongoing military operations against the Forces démocratiques de libération du Rwanda, the Lord's Resistance Army and other armed groups to completion, in compliance with international humanitarian, human rights and refugee law and the need to protect civilians, including through the support of the Armed Forces of the Democratic Republic of the Congo in jointly planned operations, as set out in paragraphs 21 to 23 and 32 of resolution 1906 (2009) of 23 December 2009;

(*i*) To support, including through its political mediation efforts, the completion of activities of disarmament, demobilization and reintegration of Congolese armed groups or their effective integration in the army, which would remain subject to prior adequate training and equipment;

(*j*) To support activities of disarmament, demobilization, repatriation, resettlement and reintegration of members of foreign armed groups, including the Forces démocratiques de libération du Rwanda and the Lord's Resistance Army, and support strategies towards a sustainable solution of the issue of the Forces démocratiques de libération du Rwanda, including repatriation, reinsertion or resettlement in other areas, or judicial prosecution as appropriate, with the help of all countries, especially those in the region;

(*k*) To coordinate strategies with other United Nations missions in the region for enhanced information-sharing in the light of the attacks by the Lord's Resistance Army and, at the request of the Government of the Democratic Republic of the Congo, may provide logistical support for regional military operations conducted against the Lord's Resistance Army in the Democratic Republic of the Congo, in compliance with international humanitarian, human rights and refugee law and the need to protect civilians;

Stabilization and peace consolidation

(*l*) Taking fully into account the leading role of the Government of the Democratic Republic of the Congo, to support, in close cooperation with other international partners, the efforts of the Congolese authorities to strengthen and reform security and judicial institutions;

(*m*) In line with the relevant legislation on the reform of the Armed Forces of the Democratic Republic of the Congo and the army reform plan presented in January 2010, to assist the Government of the Democratic Republic of the Congo, along with international and bilateral partners, in strengthening its military capacity, including military justice and military police, in particular by harmonizing efforts and facilitating exchanges of information and lessons learned and, as the Government requests it, assist in the training of the Armed Forces and military police battalions, support military justice institutions and mobilize donors to provide equipment and other required resources;

(*n*) To support the reform of the police led by the Government of the Democratic Republic of the Congo, including by providing training to battalions of the Congolese National Police and mobilizing donors to provide basic supplies, recalling the urgent need for the Congolese authorities to adopt the appropriate legal framework;

(*o*) To develop and implement, in close consultation with the Congolese authorities and in accordance with the Congolese strategy for justice reform, a multi-year joint United Nations justice support programme in order to develop the criminal justice chain, the police, the judiciary and prisons in conflict-affected areas and a strategic programmatic support at the central level in Kinshasa;

(*p*) To support, in close cooperation with other international partners, the efforts of the Government of the Democratic Republic of the Congo to consolidate State authority in the territory freed from armed groups through the deployment of trained Congolese National Police, and to develop rule of law institutions and territorial administration, with respect to the Government's Stabilization and Reconstruction Plan and the International Security and Stabilization Support Strategy;

(*q*) To provide technical and logistical support for the organization of national and local elections, upon explicit request from the Congolese authorities and within the limits of its capacities and resources;

(*r*) With respect to the urgent need to fight illegal exploitation of and trade in natural resources in the Democratic Republic of the Congo, to support the efforts of the Government of the Democratic Republic of the Congo and enhance its capabilities, along with international partners and neighbouring countries, to prevent the provision of support to armed groups, in particular support derived from illicit economic activities and illicit trade in natural resources, and consolidate and assess, jointly with the Government, the pilot project of bringing together all State services in five trading counters in North and South Kivu in order to improve the traceability of mineral products;

(*s*) To assist the Government of the Democratic Republic of the Congo in enhancing its demining capacity;

(*t*) To monitor the implementation of the measures imposed by paragraph 1 of resolution 1896 (2009), in cooperation, as appropriate, with the Governments concerned and with the Group of Experts on the Democratic Republic of the Congo established pursuant to resolution 1533 (2004) of 12 March 2004, seize or collect any arms or related materiel whose presence in the Democratic Republic of the Congo violates the measeres imposed by paragraph 1 of resolution 1896 (2009) and dispose of them as appropriate, and provide assistance to the competent customs authorities of the Democratic Republic of the Congo in implementing the provisions of paragraph 9 of resolution 1896 (2009);

13. *Urges* the international community and donors to support the Mission in the disarmament, demobilization, repatriation, resettlement and reintegration activities referred to in paragraph 12 (*j*) above, and calls upon the Government of the Democratic Republic of the Congo and neighbouring States to remain engaged in the process;

14. *Calls upon* the Government of the Democratic Republic of the Congo to build on its cooperation with the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Representative of the Secretary-General on Sexual Violence in Conflict;

15. *Requests* the Secretary-General to take the measures necessary to ensure full compliance of the Mission with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed if cases of such conduct occur;

16. *Encourages* the Mission to ensure regular interaction with the civilian population to raise awareness and understanding about its mandate and activities;

17. *Calls upon* the Mission to collect information on potential threats against the civilian population as well as reliable information on violations of international humanitarian and human rights law, and to bring them to the attention of the authorities as appropriate;

18. *Demands* that all armed groups, in particular the Forces démocratiques de libération du Rwanda and the Lord's Resistance Army, immediately cease all forms of violence and human rights abuse against the civilian population in the Democratic Republic of the Congo, in particular gender-based violence, including rape and other forms of sexual abuse;

19. *Commends* the contribution of troop- and police-contributing countries and donors to the United Nations Organization Mission in the Democratic Republic of the Congo, and calls upon Member States to pledge and provide the remaining force enablers required for the mission;

20. *Requests* the Secretary-General to report by 11 October 2010, 21 January 2011 and 13 May 2011 on the progress on the ground, in particular in the light of the assessment discussions with the Congolese authorities mentioned in paragraph 7 above, and on the implementation of the present resolution with a view to progressively adapting the United Nations presence in the Democratic Republic of the Congo, and recalling the statement by its President of 5 August 2009,[196] requests the Secretary-General to provide in those reports an indication of progress towards achieving a coordinated United Nations approach in-country, and, in particular, on critical gaps to achieving peacebuilding objectives alongside the mission;

21. *Demands* that all parties cooperate fully with the operations of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo and that they ensure the security of, as well as unhindered and immediate access for, United Nations and associated personnel in carrying out their mandate, throughout the territory of the Democratic Republic of the Congo, and requests the Secretary-General to report without delay any failure to comply with these demands;

22. *Requests* the Secretary-General to elaborate the concept of operations and rules of engagement of the Mission in line with the provisions of the present resolution and to report on this to the Council and troop-contributing countries;

23. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6324th meeting

Decisions

On 9 June 2010, the President of the Security Council addressed the following letter to the Secretary-General:[197]

> "I have the honour to inform you that your letter dated 7 June 2010 concerning your intention to appoint Mr. Roger A. Meece, of the United States of America, as your Special Representative for the Democratic Republic of the Congo and Head of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo[198] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

On 8 July 2010, the President of the Security Council addressed the following letter to the Secretary-General:[199]

> "I have the honour to inform you that your letter dated 6 July 2010 concerning your intention to appoint Lieutenant General Chander Prakash, of India, as Force Commander of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo[200] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[196] S/PRST/2009/24.

[197] S/2010/304.

[198] S/2010/303.

[199] S/2010/368.

[200] S/2010/367.

THE SITUATION IN THE CENTRAL AFRICAN REPUBLIC[201]

Decisions

At its 6240th meeting, on 15 December 2009, the Security Council decided to invite the representative of the Central African Republic to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in the Central African Republic

"Report of the Secretary-General on the situation in the Central African Republic and on the activities of the United Nations Peacebuilding Support Office in that country (S/2009/627)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Ms. Sahle-Work Zewde, Special Representative of the Secretary-General for the Central African Republic and Head of the United Nations Peacebuilding Support Office in the Central African Republic, and Mr. Jan Grauls, Permanent Representative of Belgium to the United Nations and Chair of the Central African Republic configuration of the Peacebuilding Commission.

At its 6250th meeting, on 21 December 2009, the Council considered the item entitled "The situation in the Central African Republic".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[202]

"The Security Council welcomes ongoing efforts aimed at national reconciliation in the Central African Republic based on the Libreville comprehensive peace agreement of 21 June 2008 and the commitments contained in the Sirte agreement of 2 February 2007 and the Birao agreement of 13 April 2007. The Council encourages the Government of the Central African Republic to continue to ensure that the recommendations of the inclusive political dialogue of December 2008 are expeditiously and fully implemented.

"The Council reiterates its call upon the Government of the Central African Republic to strengthen and accelerate efforts to reform security sector institutions, which is a crucial element for the peacebuilding process in the Central African Republic and for addressing widespread impunity and increasing respect for human rights. It also reiterates its call upon the Government to carry out without delay a transparent and accountable disarmament, demobilization and reintegration process and ensure the completion of disarmament and demobilization before the 2010 elections. In these efforts, transparent funding and coordination of reintegration programmes are critical to the long-term success of the programme. The Council encourages the international community, including the United Nations Integrated Peacebuilding Office in the Central African Republic, to provide timely and adequate support to the process.

"The Council strongly condemns the ongoing attacks by the Lord's Resistance Army in the Central African Republic and calls for the countries of the region and the United Nations missions to coordinate and enhance information-sharing regarding the threat posed by the Lord's Resistance Army to the population.

"The Council demands that the Government of the Central African Republic and all political stakeholders ensure free, fair, transparent and credible preparation and conduct of the 2010 elections, and that the elections take place within the time frame set by the

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[201] Resolutions or decisions on this question were first adopted by the Security Council in 1997.

[202] S/PRST/2009/35.

Constitution. The Council calls upon the Government, the United Nations and other stakeholders to support timely preparation of the elections with adequate resources.

"The Council welcomes the establishment of the United Nations Integrated Peacebuilding Office in the Central African Republic on 1 January 2010 for the period of one year. The Council urges the Special Representative of the Secretary-General for the Central African Republic to take all necessary steps so that the Office will be fully operational as soon as possible after 1 January 2010, in accordance with its mandate as set out in the statement by its President of 7 April 2009.[203] The Council confirms its full support for the efforts of the Special Representative, Ms. Sahle-Work Zewde, in this regard. The support of the Office, together with the United Nations country team, to national and local efforts to consolidate peace, enhance governance and complete the disarmament, demobilization and reintegration process is crucial and needed.

"The Council also requests the Secretary-General to propose in his next report a set of clear and measurable benchmarks to guide the progress of the mission and enable the United Nations Integrated Peacebuilding Office in the Central African Republic to evaluate its progress against its mandate.

"The Council welcomes the support provided by the Peacebuilding Commission to the Central African Republic, and reiterates its call upon the donor community to enhance its support to sectors identified as critical for sustainable peace and development in the Central African Republic, as set out in the Strategic Framework for Peacebuilding in the Central African Republic developed by the Commission."[204]

At its 6345th meeting, on 28 June 2010, the Council decided to invite the representative of the Central African Republic to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in the Central African Republic

> "Report of the Secretary-General on the situation in the Central African Republic and on the activities of the United Nations Integrated Peacebuilding Office in that country (S/2010/295)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Ms. Sahle-Work Zewde, Special Representative of the Secretary-General for the Central African Republic and Head of the United Nations Integrated Peacebuilding Office in the Central African Republic, and Mr. Jan Grauls, Permanent Representative of Belgium to the United Nations and Chair of the Central African Republic configuration of the Peacebuilding Commission.

CHILDREN AND ARMED CONFLICT[205]

Decisions

At its 6176th meeting, on 4 August 2009, the Security Council decided to invite the representatives of Argentina, Australia, Belgium, Benin, Canada, Chile, the Comoros, Côte d'Ivoire, the Czech Republic, Denmark, Finland, Germany, Greece, Guatemala, Iceland, Ireland, Italy, Kazakhstan, Latvia, Liechtenstein, Luxembourg, Monaco, the Netherlands, New Zealand,

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[203] S/PRST/2009/5.

[204] PBC/3/CAF/7.

[205] Resolutions or decisions on this question were first adopted by the Security Council in 1998.

Norway, Peru, Portugal, the Republic of Korea, Rwanda, Slovenia, South Africa, Spain, Sweden, Switzerland, the United Republic of Tanzania and Uruguay to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "Children and armed conflict".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Ms. Radhika Coomaraswamy, Special Representative of the Secretary-General for Children and Armed Conflict, and Mr. Louis-Georges Arsenault, Director of the Office of Emergency Programmes of the United Nations Children's Fund.

Resolution 1882 (2009)
of 4 August 2009

The Security Council,

Reaffirming its resolutions 1261 (1999) of 25 August 1999, 1314 (2000) of 11 August 2000, 1379 (2001) of 20 November 2001, 1460 (2003) of 30 January 2003, 1539 (2004) of 22 April 2004 and 1612 (2005) of 26 July 2005, and the statements by its President of 24 July 2006,[206] 28 November 2006,[207] 12 February 2008,[208] 17 July 2008[209] and 29 April 2009,[210] which contribute to a comprehensive framework for addressing the protection of children affected by armed conflict,

Acknowledging that the implementation of resolution 1612 (2005) has generated progress, resulting in the release and reintegration of children into their families and communities and in a more systematic dialogue between the United Nations country-level task forces and parties to armed conflict on the implementation of time-bound action plans, while remaining deeply concerned over the lack of progress on the ground in some situations of concern, where parties to conflict continue to violate with impunity the relevant provisions of applicable international law relating to the rights and protection of children in armed conflict,

Stressing the primary role of national Governments in providing protection and relief to all children affected by armed conflict,

Reiterating that all actions undertaken by United Nations entities within the framework of the monitoring and reporting mechanism must be designed to support and supplement, as appropriate, the protection and rehabilitation roles of national Governments,

Recalling the responsibilities of States to end impunity and to prosecute those responsible for genocide, crimes against humanity, war crimes and other egregious crimes perpetrated against children,

Welcoming the fact that several individuals who are alleged to have committed crimes against children in situations of armed conflict have been brought to justice by national justice systems, international justice mechanisms and mixed criminal courts and tribunals,

Convinced that the protection of children in armed conflict should be an important aspect of any comprehensive strategy to resolve conflict,

Calling upon all parties to armed conflicts to comply strictly with the obligations applicable to them under international law for the protection of children in armed conflict, including those contained in the Convention on the Rights of the Child[211] and the Optional Protocol thereto on the involvement of children in armed conflict,[212] as well as the Geneva Conventions of 12 August 1949[213] and the Additional Protocols thereto, of 1977,[214]

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[206] S/PRST/2006/33.

[207] S/PRST/2006/48.

[208] S/PRST/2008/6.

[209] S/PRST/2008/28.

[210] S/PRST/2009/9.

Reiterating its primary responsibility for the maintenance of international peace and security and, in this connection, its commitment to address the widespread impact of armed conflict on children,

Stressing its determination to ensure respect for its resolutions and other international obligations and applicable norms on the protection of children affected by armed conflict,

Having considered the report of the Secretary-General of 26 March 2009,[215] and stressing that the present resolution does not seek to make any legal determination as to whether situations which are referred to in the report of the Secretary-General are or are not armed conflicts in the context of the Geneva Conventions and the Additional Protocols thereto, nor does it prejudge the legal status of the non-State parties involved in those situations,

Deeply concerned that children continue to account for a considerable number of casualties resulting from killing and maiming in armed conflicts, including as a result of deliberate targeting, indiscriminate and excessive use of force, indiscriminate use of landmines, cluster munitions and other weapons and use of children as human shields, and equally deeply concerned about the high incidence and appalling levels of brutality of rape and other forms of sexual violence committed against children, in the context of and associated with armed conflict, including the use or commissioning of rape and other forms of sexual violence in some situations as a tactic of war,

1. *Strongly condemns* all violations of applicable international law involving the recruitment and use of children by parties to armed conflict, as well as their re-recruitment, killing and maiming, rape and other sexual violence, abductions, attacks against schools or hospitals and denial of humanitarian access by parties to armed conflict and all other violations of international law committed against children in situations of armed conflict;

2. *Reaffirms* that the monitoring and reporting mechanism will continue to be implemented in situations listed in the annexes to the reports of the Secretary-General on children and armed conflict in line with the principles set out in paragraph 2 of resolution 1612 (2005) and that its establishment and implementation shall not prejudge or imply a decision by the Security Council as to whether or not to include a situation on its agenda;

3. *Recalls* paragraph 16 of resolution 1379 (2001), and requests the Secretary-General also to include in the annexes to his reports on children and armed conflict those parties to armed conflict that engage, in contravention of applicable international law, in patterns of killing and maiming of children and/or rape and other sexual violence against children, in situations of armed conflict, bearing in mind all other violations and abuses against children, and notes that the present paragraph will apply to situations in accordance with the conditions set out in paragraph 16 of resolution 1379 (2001);

4. *Invites* the Secretary-General, through his Special Representative for Children and Armed Conflict, to exchange appropriate information and maintain interaction from the earliest opportunity with the Governments concerned regarding violations and abuses committed against children by parties which may be included in the annexes to his periodic reports;

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[211] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[212] Ibid., vol. 2173, No. 27531.

[213] Ibid., vol. 75, Nos. 970-973.

[214] Ibid., vol. 1125, Nos. 17512 and 17513.

[215] S/2009/158 and Corr.1.

5. While noting that some parties to armed conflict have responded to its call upon them to prepare and implement concrete time-bound action plans to halt the recruitment and use of children in violation of applicable international law:

(*a*) *Reiterates its call upon* those parties to armed conflict listed in the annexes to the report of the Secretary-General on children and armed conflict that have not already done so to prepare and implement, without further delay, action plans to halt the recruitment and use of children in violation of applicable international law;

(*b*) *Calls upon* those parties listed in the annexes to the report of the Secretary-General on children and armed conflict that commit, in contravention of applicable international law, killing and maiming of children and/or rape and other sexual violence against children in situations of armed conflict to prepare concrete time-bound action plans to halt those violations and abuses;

(*c*) *Further calls upon* all parties listed in the annexes to the report of the Secretary-General on children and armed conflict to address all other violations and abuses committed against children and undertake specific commitments and measures in this regard;

(*d*) *Urges* those parties listed in the annexes to the report of the Secretary-General on children and armed conflict to implement the provisions contained in the present paragraph, in close cooperation with the Special Representative of the Secretary-General for Children and Armed Conflict and the United Nations country-level task forces on monitoring and reporting;

6. In this context, *encourages* Member States to devise ways, in close consultation with the United Nations country-level task forces on monitoring and reporting and United Nations country teams, to facilitate the development and implementation of time-bound action plans, and the review and monitoring by the United Nations country-level task forces of obligations and commitments relating to the protection of children in armed conflict;

7. *Reiterates its determination* to ensure respect for its resolutions on children and armed conflict, and in this regard:

(*a*) Welcomes the sustained activity and recommendations of the Security Council Working Group on Children and Armed Conflict, as called for in paragraph 8 of resolution 1612 (2005), and invites the Working Group to continue reporting regularly to the Council;

(*b*) Requests enhanced communication between the Working Group and relevant Security Council sanctions committees, including through the exchange of pertinent information on violations and abuses committed against children in armed conflict;

(*c*) Reaffirms its intention to take action against persistent perpetrators in line with paragraph 9 of resolution 1612 (2005);

8. *Stresses* the responsibility of the United Nations country-level task forces on monitoring and reporting and United Nations country teams, consistent with their respective mandates, to ensure effective follow-up to Council resolutions on children and armed conflict, to monitor and report progress to the Secretary-General in close cooperation with his Special Representative for Children and Armed Conflict and to ensure a coordinated response to issues related to children and armed conflict;

9. *Requests* the Secretary-General to include more systematically in his reports on children and armed conflict specific information regarding the implementation of the recommendations of the Working Group;

10. *Reiterates its request* to the Secretary-General to ensure that, in all his reports on country-specific situations, the matter of children and armed conflict is included as a specific aspect of the report, and expresses its intention to give its full attention to the information provided therein, including the implementation of relevant Council resolutions and of the recommendations of the Working Group, when dealing with those situations on its agenda;

11. *Welcomes* the efforts of the Department of Peacekeeping Operations of the Secretariat in mainstreaming child protection into peacekeeping missions, in line with the child protection

policy directive recently adopted by the Department, encourages the deployment of child protection advisers to peacekeeping operations, as well as to relevant peacebuilding and political missions, and decides to continue the inclusion of specific provisions for the protection of children in such mandates;

12. *Requests* Member States, United Nations peacekeeping, peacebuilding and political missions and United Nations country teams, within their respective mandates and in close cooperation with the Governments of the countries concerned, to establish appropriate strategies and coordination mechanisms for information exchange and cooperation on child protection concerns, in particular cross-border issues, bearing in mind relevant conclusions of the Working Group and paragraph 2 (*d*) of resolution 1612 (2005);

13. *Stresses* that effective disarmament, demobilization and reintegration programmes for children, building on best practices identified by the United Nations Children's Fund and other relevant child protection actors, are crucial for the well-being of all children who, in contravention of applicable international law, have been recruited or used by armed forces and groups, and are a critical factor for durable peace and security, and urges national Governments and donors to ensure that these community-based programmes receive timely, sustained and adequate resources and funding;

14. *Also stresses* the importance of timely, sustained and adequate resources and funding for effective welfare programmes for all children affected by armed conflict;

15. *Calls upon* Member States, United Nations entities, including the Peacebuilding Commission, and other parties concerned to ensure that the protection, rights, well-being and empowerment of children affected by armed conflict are integrated into all peace processes and that post-conflict recovery and reconstruction planning, programmes and strategies prioritize issues concerning children affected by armed conflict;

16. *Calls upon* concerned Member States to take decisive and immediate action against persistent perpetrators of violations and abuses against children in situations of armed conflict, and further calls upon them to bring to justice those responsible for such violations that are prohibited under applicable international law, including with regard to the recruitment and use of children, killing and maiming and rape and other sexual violence, through national justice systems, and where applicable, international justice mechanisms and mixed criminal courts and tribunals, with a view to ending impunity for those committing crimes against children;

17. *Requests* the Secretary-General to continue to take the necessary measures, including, where applicable, to bring the monitoring and reporting mechanism to its full capacity, to allow for prompt advocacy and effective response to all violations and abuses committed against children and to ensure that information collected and communicated by the mechanism is accurate, objective, reliable and verifiable;

18. *Also requests* the Secretary-General to provide administrative and substantive support for the Working Group, taking into consideration its current workload and the need to strengthen its capacities and institutional memory;

19. *Further requests* the Secretary-General to submit a report by May 2010 on the implementation of its resolutions and the statements by its President on children and armed conflict, including the present resolution, which would include, inter alia:

(*a*) Annexed lists of parties in situations of armed conflict on the agenda of the Council or in other situations of concern, in accordance with paragraph 3 of the present resolution;

(*b*) Information on measures undertaken by parties listed in the annexes to end all violations and abuses committed against children in armed conflict;

(*c*) Information on progress made in the implementation of the monitoring and reporting mechanism established in resolution 1612 (2005);

(*d*) Information on the criteria and procedures used for listing and de-listing parties to armed conflict in the annexes to his periodic reports, bearing in mind the views expressed by all the members of the Working Group during informal briefings to be held before the end of 2009;

20. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6176th meeting.

Decisions

At its 6341st meeting, on 16 June 2010, the Security Council decided to invite the representatives of Afghanistan, Argentina, Armenia, Australia, Azerbaijan, Bangladesh, Belgium, Canada, Chile, Colombia, Costa Rica, Croatia, Finland, Georgia, Germany, Hungary, India, Indonesia, Iraq, Israel, Italy, Kazakhstan, Liechtenstein, Myanmar, Nepal, the Netherlands, New Zealand, Pakistan, Peru, the Philippines, Qatar, the Republic of Korea, Sierra Leone, Slovenia, South Africa, Sri Lanka, Switzerland, Thailand, Viet Nam and Yemen to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Children and armed conflict

"Report of the Secretary-General on children and armed conflict (S/2010/181)

"Letter dated 15 June 2010 from the Permanent Representative of Mexico to the United Nations addressed to the Secretary-General (S/2010/314)".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 11 June 2010 to the President of the Council,[216] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend invitations, under rule 39 of its provisional rules of procedure, to Ms. Radhika Coomaraswamy, Special Representative of the Secretary-General for Children and Armed Conflict, and Mr. Atul Khare, Assistant Secretary-General for Peacekeeping Operations.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Hilde Frafjord Johnson, Deputy Executive Director of the United Nations Children's Fund.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Manju Gurung.

At the same meeting, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Pedro Serrano, Acting Head of the Delegation of the European Union to the United Nations, in response to his request dated 11 June 2010.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[217]

> "The Security Council takes note with appreciation of the ninth report of the Secretary-General on children and armed conflict[218] and the recommendations contained

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[216] Document S/2010/316, incorporated in the record of the 6341st meeting.

[217] S/PRST/2010/10.

[218] S/2010/181.

therein, as well as the positive developments referred to in the report, and notes the continuing challenges in the implementation of its resolutions 1612 (2005) and 1882 (2009) and other relevant resolutions reflected therein.

"The Council reiterates its equally strong condemnation of all violations of applicable international law involving the recruitment and use of children by parties to armed conflict as well as their re-recruitment, killing and maiming, rape and other sexual violence, abductions, attacks against schools or hospitals and denial of humanitarian access by parties to armed conflict. The Council condemns all other violations of international law, including international humanitarian law, human rights law and refugee law, committed against children in situations of armed conflict. The Council demands that all relevant parties immediately put an end to such practices and take special measures to protect children.

"The Council expresses deep concern about the growing number of attacks or threats of attacks in contravention of applicable international law against schools and educational facilities, and teachers and pupils, in particular the specific targeting of girls, and in this regard calls upon all parties to armed conflict to cease immediately these violations of international humanitarian law.

"The Council welcomes the steps taken by the Secretary-General in the implementation of resolution 1882 (2009) by including in the annexes to his report those parties to armed conflict that engage, in contravention of applicable international law, in patterns of killing and maiming of children and/or rape and other sexual violence, in situations of armed conflict.

"The Council calls upon the Secretary-General to redouble his efforts to ensure strengthening of the capacities of the monitoring and reporting mechanism with a view to the implementation of resolution 1882 (2009) to allow for prompt advocacy and effective response to all violations and abuses committed against children, inter alia, by ensuring that all relevant United Nations agencies actively help to collect accurate, objective, reliable and verifiable information on acts of rape and other sexual violence committed against children, and also by ensuring synergies and avoiding overlap among relevant United Nations entities, at the headquarters and country levels, as requested in resolutions 1882 (2009) and 1888 (2009).

"The Council reaffirms its decision, in paragraph 11 of its resolution 1882 (2009), to continue to include specific provisions for the protection of children in the mandates of all relevant United Nations peacekeeping, peacebuilding and political missions, encourages the deployment of child protection advisers to such missions and calls upon the Secretary-General to ensure that such advisers are recruited and deployed in line with the relevant country-specific resolutions of the Council and the Department of Peacekeeping Operations Policy Directive on Mainstreaming the Protection, Rights and Well-being of Children Affected by Armed Conflict. It further underscores the importance of training in child rights and child protection for all personnel involved in United Nations peacekeeping, peacebuilding and political missions and in this regard welcomes the ongoing efforts by the Department in developing the policy implementation plan, including training programmes and materials.

"The Council welcomes the progress made in preventing and responding to violations and abuses committed against children, especially with regard to the signing of action plans by some parties as mentioned in the ninth report of the Secretary-General.

"The Council reiterates its call upon parties to armed conflict listed in the annexes to the report of the Secretary-General on children and armed conflict that have not already done so to prepare and implement, without further delay, action plans to halt the recruitment and use of children, patterns of killing and maiming of children and/or rape and other sexual violence against children, in violation of applicable international law, in situations of armed conflict.

"The Council also reiterates its call to all parties listed in the annexes to the report of the Secretary-General on children and armed conflict to address all other violations and abuses committed against children and undertake specific commitments and measures in this regard.

"The Council expresses deep concern that certain parties persist in committing violations and abuses against children, and expresses its readiness to adopt targeted and graduated measures against persistent perpetrators, taking into account the relevant provisions of its resolutions 1539 (2004), 1612 (2005) and 1882 (2009). To this end, the Council invites:

"(*a*) Its Working Group on Children and Armed Conflict to exchange pertinent information with relevant sanctions committees, in particular through communication of the relevant recommendations of the Working Group;

"(*b*) Its relevant sanctions committees to consider inviting more regularly the Special Representative of the Secretary-General for Children and Armed Conflict to brief them on specific information contained in the reports of the Secretary-General;

"(*c*) The Special Representative to share specific information contained in the reports of the Secretary-General with relevant sanctions committee expert groups.

"The Council expresses its intention, when establishing or renewing the mandate of relevant sanctions committees, to consider provisions pertaining to parties that are in violation of applicable international law relating to the rights and protection of children in armed conflict.

"The Council expresses its readiness to consider specific recommendations of the Working Group on violations and abuses committed against children by parties listed in the annexes to the reports of the Secretary-General, whenever they occur, with a view to considering action on them, without prejudging or implying a decision by the Council as to whether or not to include a situation in its agenda.

"The Council calls upon concerned Member States to take decisive and immediate action against persistent perpetrators of violations and abuses against children in situations of armed conflict, and further calls upon them to bring to justice those responsible for such violations that are prohibited under applicable international law, including with regard to the recruitment and use of children, killing and maiming and rape and other sexual violence, through national justice systems, and where applicable, international justice mechanisms and mixed criminal courts and tribunals, with a view to ending impunity for those committing crimes against children.

"Given the regional dimensions of some armed conflicts referred to in the report of the Secretary-General, the Council reiterates its request that United Nations peacekeeping, peacebuilding and political missions as well as United Nations country teams, within their respective mandates and in close cooperation with the Governments of the countries concerned, develop appropriate strategies and coordination mechanisms for information exchange and cooperation on cross-border child protection concerns.

"The Council welcomes the overall work of the Special Representative and highlights the importance of her field visits in enhancing dialogue with concerned Governments and parties to conflict, including by negotiating action plans, securing commitments, advocating for appropriate response mechanisms and ensuring appropriate attention and follow-up to the conclusions and recommendations of the Working Group.

"The Council also welcomes the efforts undertaken by the United Nations Children's Fund in carrying out its mandate on child protection by supporting the overall development and implementation of the monitoring and reporting mechanism and ensuring appropriate response to children in armed conflict, and encourages it to continue to follow up, through the monitoring and reporting mechanism country task forces, on relevant conclusions and recommendations of the Working Group.

"The Council welcomes the sustained activity of the Working Group and stresses the importance of continuing to adopt timely conclusions and recommendations in line with resolutions 1612 (2005) and 1882 (2009). Furthermore, the Council invites the Working Group to fully implement its toolkit,[219] inter alia, by carrying out a country-specific visit within one year, to examine a situation referred to in the annexes to the report of the Secretary-General in order to better fulfil its mandate and enhance its capacity to protect children affected by armed conflict.

"Recalling previous statements by its President on children and armed conflict, as well as paragraph 18 of resolution 1882 (2009), the Council reiterates its request to the Secretary-General to provide administrative and substantive support for the Working Group and further requests the Secretary-General to take action on this subject within one month of this date.

"The Council requests the Secretary-General to submit a report by May 2011 on the implementation of its resolutions and the statements by its President on children and armed conflict, including the present statement."

THE SITUATION IN GUINEA-BISSAU[220]

Decisions

At its 6212th meeting, on 5 November 2009, the Security Council decided to invite the representative of Guinea-Bissau to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Guinea-Bissau

> "Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in that country (S/2009/552)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Joseph Mutaboba, Representative of the Secretary-General in Guinea-Bissau and Head of the United Nations Peacebuilding Support Office in Guinea-Bissau, Mr. Antonio Maria Costa, Executive Director of the United Nations Office on Drugs and Crime, and Mrs. Maria Luiza Ribeiro Viotti, Permanent Representative of Brazil to the United Nations and Chair of the Guinea-Bissau configuration of the Peacebuilding Commission.

At the same meeting, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Téte António, Acting Permanent Observer of the African Union to the United Nations, in response to the request dated 4 November 2009 from the Permanent Representative of Uganda to the United Nations addressed to the President of the Council.

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[219] See S/2006/724.

[220] Resolutions or decisions on this question were first adopted by the Security Council in 1998.

At its 6213th meeting, on 5 November 2009, the Council considered the item entitled:

"The situation in Guinea-Bissau

"Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in that country (S/2009/552)".

At the same meeting, pursuant to the decision taken at the 6212th meeting, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Joseph Mutaboba, Representative of the Secretary-General in Guinea-Bissau and Head of the United Nations Peacebuilding Support Office in Guinea-Bissau.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[221]

"The Security Council recalls its previous statements and resolutions on Guinea-Bissau, and takes note of the latest report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in Guinea-Bissau.[222] The Council reaffirms its support for the continuing efforts to consolidate peace in that country.

"The Council welcomes the peaceful presidential elections that were held on 28 June and 26 July 2009, and the inauguration of President Malam Bacai Sanha on 8 September 2009. It also takes note of the commitment by the President to combat impunity, foster national reconciliation and achieve socio-economic development. The Council reiterates that the human rights and fundamental freedoms of the people of Guinea-Bissau must be fully protected. It again urges the armed forces of Guinea-Bissau to ensure that their commitment to abide by the civilian authorities and respect constitutional order is fully honoured.

"The Council also takes note of the plans of the National Assembly to convene a national conference on the theme 'Conflicts in Guinea-Bissau: causes, prevention, resolution and consequences', and underscores the need to conduct an inclusive political dialogue process aimed at ensuring national reconciliation in the country.

"The Council reiterates the importance of consolidating democracy, security, the rule of law, national reconciliation and the fight against impunity to ensure sustainable peace in Guinea-Bissau. In this regard, it takes note of the ongoing consultations between the United Nations, the African Union, the Economic Community of West African States and the Community of Portuguese-speaking Countries to assist the Government of Guinea-Bissau, at its request, in carrying out a credible, thorough and expeditious investigation, in accordance with international standards, into the political assassinations of March and June 2009. The Council calls upon the Government to expedite this process, and calls upon the above-mentioned organizations and the international community as a whole to bring their support to this end.

"The Council underlines the challenges faced by the Government of Guinea-Bissau, in particular to ensure that the security sector is effective, professional and accountable. In this regard, the Council emphasizes the necessity of pursuing and implementing an effective and comprehensive national strategy for security sector reform, to be supported by the international partners. The Council reiterates its request to the Secretary-General, through his Special Representative for Guinea-Bissau and the United Nations Integrated Peacebuilding Office in Guinea-Bissau, for effective coordination of the support provided by the international community to security sector reform in Guinea-Bissau, taking into account the work already undertaken by the European Union and other international actors in this area.

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[221] S/PRST/2009/29.

[222] S/2009/552.

"The Council urges the Government of Guinea-Bissau to take the necessary actions within the framework of the Guinea-Bissau anti-narcotics operational plan and the Economic Community of West African States plan of action against drug trafficking and organized crime in West Africa. The Council further notes that the situation in Guinea-Bissau continues to be extremely fragile, in particular as a result of increased drug trafficking and organized crime that could pose a threat to regional stability, and should be addressed by an approach of shared responsibility. In this context, the Council welcomes the progress in implementing the West Africa Coast Initiative involving the Economic Community of West African States, commends the action of the United Nations Office on Drugs and Crime, the Department of Peacekeeping Operations and the Department of Political Affairs of the Secretariat and the International Criminal Police Organization (INTERPOL) in support of the fight against organized crime and drug trafficking in West Africa, and calls upon the international partners to continue supporting this partnership and the efforts of the national authorities to strengthen activities on policing and internal security, including law enforcement and border control, as part of the security sector reform process.

"The Council calls upon the international community to provide timely and adequate support for the implementation of the Strategic Framework for Peacebuilding in Guinea-Bissau, adopted by the Peacebuilding Commission on 1 October 2008,[223] including that of the quick-impact projects. The Council takes note of the importance of building synergies among the donors. It further takes note of the preparations for the first review of the Strategic Framework for Peacebuilding and looks forward to its finalization. The Council reiterates its support for the work of the Guinea-Bissau configuration of the Commission.

"The Council welcomes the ongoing planning for the transition of the United Nations Peacebuilding Support Office in Guinea-Bissau to the United Nations Integrated Peacebuilding Office in Guinea-Bissau on 1 January 2010, and looks forward to the timely development of an Integrated Strategic Framework, including a strategic workplan with appropriate benchmarks to measure and track progress on the implementation of the mandate of the new Office.

"The Council reiterates the importance of the regional dimension in the resolution of the problems faced by Guinea-Bissau and in this regard welcomes the role of the Economic Community of West African States, the African Union, the Community of Portuguese-speaking Countries and the European Union in the peacebuilding process in that country."

At its 6281st meeting, on 5 March 2010, the Council decided to invite the representative of Guinea-Bissau to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Guinea-Bissau

> "Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Integrated Peacebuilding Office in that country (S/2010/106)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Joseph Mutaboba, Special Representative of the Secretary-General for Guinea-Bissau and Head of the United Nations Integrated Peacebuilding Office in Guinea-Bissau, and Mrs. Maria Luiza Ribeiro Viotti, Permanent Representative of Brazil to the United Nations and Chair of the Guinea-Bissau configuration of the Peacebuilding Commission.

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[223] PBC/3/GNB/3.

At its 6359th meeting, on 15 July 2010, the Council decided to invite the representative of Guinea-Bissau (Minister for Foreign Affairs) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Guinea-Bissau

"Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Integrated Peacebuilding Office in that country (S/2010/335)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Joseph Mutaboba, Special Representative of the Secretary-General for Guinea-Bissau and Head of the United Nations Integrated Peacebuilding Office in Guinea-Bissau, and Mrs. Maria Luiza Ribeiro Viotti, Permanent Representative of Brazil to the United Nations and Chair of the Guinea-Bissau configuration of the Peacebuilding Commission.

At its 6364th meeting, on 22 July 2010, the Council considered the item entitled "The situation in Guinea-Bissau".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[224]

"The Security Council recalls its previous statements and resolutions on Guinea-Bissau and further recalls the events of 1 April 2010. The Council notes the efforts of the Government of Guinea-Bissau towards achieving stability in the country, but expresses concern at the current security situation and threats to constitutional order. The Council stresses the critical importance of the President, Government, political leaders, armed forces and people of Guinea-Bissau meeting their responsibilities to work towards national reconciliation, maintaining stability and constitutional order, fighting impunity and respecting the rule of law.

"The Council calls upon the Government of Guinea-Bissau to release immediately all those detained during the events of 1 April 2010 or prosecute them with full respect for due process.

"The Council stresses that genuine security sector reform requires the creation of effective professional and accountable security forces and respect for the rule of law. The Council therefore calls upon the Government of Guinea-Bissau to create the conditions for reform of the security services, calls upon the security forces, in particular the military, to fulfil their commitment to abide by civilian control and calls upon both to implement current programmes for security sector reform on schedule.

"The Council expresses serious concern about the continued growth in drug trafficking, as well as organized crime, which threatens peace and security in Guinea-Bissau and in the subregion. The Council calls upon the authorities of Guinea-Bissau to create the environment necessary to ensure that actions to tackle drug trafficking and organized crime, including actions supported by the international community, are effective.

"The Council also recognizes the shared responsibility of States where drugs are produced and consumed, as well as transit States, to take measures to hold accountable those who engage in, or otherwise facilitate, drug trafficking through Guinea-Bissau. In this regard, the Council welcomes the commitment of the Economic Community of West African States with the European Union, the United Nations and other partners for the immediate implementation of the Economic Community of West African States plan of action against drug trafficking and organized crime in West Africa, including options for targeted sanctions against those individuals identified as members or supporters of the drug trafficking network. The Council agrees to keep the situation under active review and to consider appropriate action.

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[224] S/PRST/2010/15.

"The Council welcomes the final communiqué of the 38th ordinary session of the Authority of Heads of State and Government of the Economic Community of West African States expressing the need to promptly establish a mechanism for ensuring the safety of State civilian institutions in Guinea-Bissau. The Council invites the Government of Guinea-Bissau and the international community to cooperate fully with the Economic Community of West African States to that effect.

"The Council welcomes the continued engagement of the Peacebuilding Commission and also calls for the swift implementation of the United Nations Framework for Peace and Development in Guinea-Bissau. The Council further welcomes the role of the efforts of the United Nations Integrated Peacebuilding Office in Guinea-Bissau to coordinate actions by partners, in particular the African Union, the Economic Community of West African States, the European Union and the Community of Portuguese-speaking Countries, for their assistance in the area of security sector reform.

"The Council acknowledges the plans of the National Assembly to convene a national conference on the theme 'Conflicts in Guinea-Bissau: causes, prevention, resolution and consequences', scheduled for January 2011 and underscores the need to conduct a genuine and inclusive political dialogue aimed at ensuring effective functioning of State institutions and national reconciliation. The Council welcomes, in that regard, efforts made by regional leaders, in particular President Pedro Pires of Cape Verde, to engage in a constructive dialogue with the leadership of Guinea-Bissau.

"The Council requests the Secretary-General to brief the Council, as appropriate, on progress made in addressing these issues as well as on what further action may be required to support continued implementation."

PROTECTION OF CIVILIANS IN ARMED CONFLICT[225]

Decisions

At its 6216th meeting, on 11 November 2009, the Security Council decided to invite the representatives of Afghanistan, Argentina, Armenia, Australia, Azerbaijan, Belgium, Benin (Secretary-General of the Ministry of Foreign Affairs, African Integration, Francophonie and Beninese Diaspora), Brazil, Canada, Colombia, Cyprus, the Czech Republic, Denmark, Egypt, Estonia, Finland, Georgia, Germany, Ghana, Greece, Guatemala, Hungary, India (Member of Parliament), Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Kenya, Liechtenstein, Luxembourg, Morocco, the Netherlands, Norway, Qatar, the Republic of Korea, the Republic of Moldova, Rwanda, Saudi Arabia, Slovakia, Slovenia, South Africa, Sri Lanka, the Sudan, Sweden, Switzerland, the Syrian Arab Republic, the United Arab Emirates, the United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of) and Zambia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Protection of civilians in armed conflict

> "Letter dated 2 November 2009 from the Permanent Representative of Austria to the United Nations addressed to the Secretary-General (S/2009/567)".

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[225] Resolutions or decisions on this question were first adopted by the Security Council in 1999.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, and Ms. Kyung-wha Kang, Deputy United Nations High Commissioner for Human Rights.

At the same meeting, the Council further decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 10 November 2009 to the President of the Council,[226] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Albrecht Freiherr von Boeselager, Minister for International Cooperation and Humanitarian Affairs of the Sovereign Military Order of Malta, in response to the request dated 10 November 2009 from the Permanent Representative of Austria to the United Nations addressed to the President of the Council.

Resolution 1894 (2009)
of 11 November 2009

The Security Council,

Reaffirming its commitment to the continuing and full implementation, in a mutually reinforcing manner, of resolutions 1265 (1999) of 17 September 1999, 1296 (2000) of 19 April 2000, 1325 (2000) of 31 October 2000, 1612 (2005) of 26 July 2005, 1674 (2006) of 28 April 2006, 1738 (2006) of 23 December 2006, 1820 (2008) of 19 June 2008, 1882 (2009) of 4 August 2009, 1888 (2009) of 30 September 2009 and 1889 (2009) of 5 October 2009, and all relevant statements by its President,

Reaffirming its commitment also to the purposes of the Charter of the United Nations as set out in Article 1, paragraphs 1 to 4, and to the principles of the Charter as set out in Article 2, paragraphs 1 to 7, including its commitment to the principles of the political independence, sovereign equality and territorial integrity of all States, and respect for the sovereignty of all States,

Noting that 2009 marks the tenth anniversary of the progressive consideration by the Security Council of the protection of civilians in armed conflict as a thematic issue, and acknowledging the enduring need for the Council and Member States to strengthen further the protection of civilians in armed conflict,

Noting also that 2009 also marks the sixtieth anniversary of the Geneva Conventions of 1949,[227] which, together with the Additional Protocols thereto,[228] constitute the basis for the legal framework for the protection of civilians in armed conflict,

Recognizing that States bear the primary responsibility to respect and ensure the human rights of their citizens, as well as all individuals within their territory, as provided for by relevant international law,

Reaffirming that parties to armed conflict bear the primary responsibility to take all feasible steps to ensure the protection of civilians,

Reaffirming also the relevant provisions of the 2005 World Summit Outcome[229] regarding the protection of civilians in armed conflict, including paragraphs 138 and 139 thereof regarding the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity,

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[226] Document S/2009/577, incorporated in the record of the 6216th meeting.

[227] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[228] Ibid., vol. 1125, Nos. 17512 and 17513.

[229] See General Assembly resolution 60/1.

Reiterating its deep regret that civilians continue to account for the vast majority of casualties in situations of armed conflict,

Stressing the particular impact that armed conflict has on women and children, including as refugees and internally displaced persons, as well as on other civilians who may have specific vulnerabilities, including persons with disabilities and older persons, and stressing the protection and assistance needs of all affected civilian populations,

Noting the adoption on 23 October 2009 of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa,[130]

Noting with grave concern the severity and prevalence of constraints on humanitarian access, as well as the frequency and gravity of attacks against humanitarian personnel and objects and the significant implications of such attacks for humanitarian operations,

Recognizing the need for States in or emerging from armed conflict to restore or build accountable security institutions and independent national judicial systems,

Recalling the inclusion of war crimes, crimes against humanity and genocide in the statutes of the ad hoc international criminal tribunals and the Rome Statute of the International Criminal Court,[131] and emphasizing in this regard the principle of complementarity,

Recognizing the importance of reparations programmes in response to serious violations of international humanitarian law and gross human rights violations,

Recognizing also the importance of empowering vulnerable civilians through education and training as a means to support efforts to halt and prevent abuses committed against civilians in situations of armed conflict,

Recognizing further the valuable contribution to the protection of children in armed conflict of the Special Representative of the Secretary-General for Children and Armed Conflict and the Security Council Working Group on Children and Armed Conflict, including the conclusions and recommendations of the Working Group issued in line with resolution 1612 (2005), and recalling resolution 1882 (2009), which aims to strengthen the protection of children in situations of armed conflict,

Recalling its decision, in resolution 1888 (2009), to address violence against women and children in situations of armed conflict by requesting the Secretary-General to appoint a special representative and to identify and take the appropriate measures to deploy rapidly a team of experts to situations of particular concern with respect to sexual violence in armed conflict,

Noting the practice of briefings by the Office for the Coordination of Humanitarian Affairs of the Secretariat to members of the Council on behalf of the United Nations humanitarian community, through both formal and informal channels,

Taking note of the report of the Secretary-General of 29 May 2009 on the protection of civilians in armed conflict[132] and the annex thereto, on constraints on humanitarian access, in which the core challenges to the effective protection of civilians are identified, namely, enhancing compliance with international law, enhancing compliance by non-State armed groups with their obligations under international law, enhancing protection through more effective and better resourced United Nations peacekeeping and other relevant missions, enhancing humanitarian access, and enhancing accountability for violations,

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[130] Available from www.africa-union.org.

[131] United Nations, *Treaty Series*, vol. 2187, No. 38544.

[132] S/2009/277.

Welcoming the proposals, conclusions and recommendations on the protection of civilians included in the report of the Special Committee on Peacekeeping Operations and its Working Group[233] and the important work conducted by the Security Council Working Group on Peacekeeping Operations, including its efforts aimed at enhancing the implementation of protection mandates,

Recalling the statement by its President of 5 August 2009,[234] and welcoming ongoing efforts to strengthen United Nations peacekeeping,

Noting that United Nations peacekeeping missions constitute one of several means at the disposal of the United Nations to protect civilians in situations of armed conflict,

1. *Demands* that parties to armed conflict comply strictly with the obligations applicable to them under international humanitarian, human rights and refugee law, and implement all relevant decisions of the Security Council, and in this regard urges them to take all measures required to respect and protect the civilian population and meet its basic needs;

2. *Reiterates its condemnation in the strongest terms* of attacks in situations of armed conflict directed against civilians as such and other protected persons or objects as well as indiscriminate or disproportionate attacks and the utilization of the presence of civilians to render certain points, areas or military forces immune from military operations, as flagrant violations of international humanitarian law, and demands that all parties immediately put an end to such practices;

3. *Notes* that the deliberate targeting of civilians as such and other protected persons, and the commission of systematic, flagrant and widespread violations of applicable international humanitarian and human rights law in situations of armed conflict may constitute a threat to international peace and security, and reaffirms in this regard its readiness to consider such situations and, where necessary, to adopt appropriate steps;

4. *Reiterates its willingness* to respond to situations of armed conflict where civilians are being targeted or humanitarian assistance to civilians is being deliberately obstructed, including through the consideration of appropriate measures at the disposal of the Council in accordance with the Charter of the United Nations;

5. *Reiterates its call upon* States that have not already done so to consider signing, ratifying or acceding to the relevant instruments of international humanitarian, human rights and refugee law, and to take appropriate legislative, judicial and administrative measures to implement their obligations under those instruments;

6. *Demands* that all States and parties to armed conflict fully implement all relevant decisions of the Council and in this regard cooperate fully with United Nations peacekeeping missions and country teams in the follow-up to and implementation of those decisions;

7. *Calls upon* all parties concerned:

(*a*) To ensure the widest possible dissemination of information about international humanitarian, human rights and refugee law;

(*b*) To provide training for public officials, members of armed forces and armed groups, personnel associated with armed forces, civilian police and law enforcement personnel, and members of the judicial and legal professions, and to raise awareness among civil society and the civilian population on relevant international humanitarian, human rights and refugee law, as well as on the protection, special needs and human rights of women and children in conflict situations, to achieve full and effective compliance;

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[233] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 19* (A/63/19).

[234] S/PRST/2009/24.

(c) To ensure that orders and instructions issued to armed forces and other relevant actors are in compliance with applicable international law, and that they are observed, inter alia, by establishing effective disciplinary procedures, central to which must be the strict adherence to the principle of command responsibility to support compliance with international humanitarian law;

(d) To seek, where appropriate, support from United Nations peacekeeping and other relevant missions, as well as United Nations country teams and the International Committee of the Red Cross and, where appropriate, other members of the International Red Cross and Red Crescent Movement, on training and awareness-raising on international humanitarian, human rights and refugee law;

8. *Emphasizes* the importance of addressing in its country-specific deliberations the compliance of parties to armed conflict with international humanitarian, human rights and refugee law, notes the range of existing methods used, on a case-by-case basis, for gathering information on alleged violations of applicable international law relating to the protection of civilians, and underlines the importance in this regard of receiving information that is timely, objective, accurate and reliable;

9. *Considers* the possibility, to this end, of using the International Humanitarian Fact-Finding Commission established by article 90 of Additional Protocol I to the Geneva Conventions;[235]

10. *Affirms its strong opposition* to impunity for serious violations of international humanitarian law and human rights law, and emphasizes in this context the responsibility of States to comply with their relevant obligations to end impunity and to thoroughly investigate and prosecute persons responsible for war crimes, genocide, crimes against humanity or other serious violations of international humanitarian law in order to prevent violations, avoid their recurrence and seek sustainable peace, justice, truth and reconciliation;

11. *Recalls* that accountability for such serious crimes must be ensured by taking measures at the national level and by enhancing international cooperation in support of national mechanisms, draws attention to the full range of justice and reconciliation mechanisms to be considered, including national, international and "mixed" criminal courts and tribunals, and truth and reconciliation commissions, as well as national reparation programmes for victims and institutional reforms, and underlines the role of the Council in ending impunity;

12. *Reaffirms* the role of the Council in promoting an environment that is conducive to the facilitation of humanitarian access to those in need;

13. *Stresses* the importance for all, within the framework of humanitarian assistance, of upholding and respecting the humanitarian principles of humanity, neutrality, impartiality and independence;

14. *Also stresses* the importance for all parties to armed conflict to cooperate with humanitarian personnel in order to allow and facilitate access to civilian populations affected by armed conflict;

15. *Expresses its intention*:

(a) To call upon parties to armed conflict to comply with the obligations applicable to them under international humanitarian law to take all steps required to protect civilians and to facilitate the rapid and unimpeded passage of relief consignments, equipment and personnel;

(b) To mandate United Nations peacekeeping and other relevant missions, where appropriate, to assist in creating conditions conducive to safe, timely and unimpeded humanitarian assistance;

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[235] United Nations, *Treaty Series*, vol. 1125, No. 17512.

16. *Also expresses its intention:*

(*a*) To consistently condemn and call for the immediate cessation of all acts of violence and other forms of intimidation deliberately directed against humanitarian personnel;

(*b*) To call upon parties to armed conflict to comply with the obligations applicable to them under international humanitarian law to respect and protect humanitarian personnel and consignments used for humanitarian relief operations;

(*c*) To take appropriate steps in response to deliberate attacks against humanitarian personnel;

17. *Invites* the Secretary-General to continue the systematic monitoring and analysis of constraints on humanitarian access, to include, as appropriate, observations and recommendations in his briefings and country-specific reports to the Council;

18. *Recalls its determination* to upgrade the strategic oversight of peacekeeping operations, mindful of the important role that peacekeeping operations play for the protection of civilians, reaffirms its support for the efforts made by the Secretary-General to review peacekeeping operations and to provide enhanced planning and support, and renews its encouragement to deepen those efforts, in partnership with troop- and police-contributing countries and other relevant stakeholders;

19. *Reaffirms* its practice of ensuring that mandates of United Nations peacekeeping and other relevant missions include, where appropriate and on a case-by-case basis, provisions regarding the protection of civilians, stresses that mandated protection activities must be given priority in decisions about the use of available capacity and resources, including information and intelligence resources, in the implementation of mandates, and recognizes that the protection of civilians when and as mandated requires a coordinated response from all relevant mission components;

20. *Reaffirms also* the importance of entrusting peacekeeping and other relevant missions that are tasked with the protection of civilians with clear, credible and achievable mandates, based on accurate and reliable information on the situation on the ground and a realistic assessment of threats against civilians and missions, made in consultation with all relevant stakeholders, further reaffirms the importance of a greater awareness in the Council of the resource and field support implications of its decisions, and stresses the necessity of ensuring the execution of the aforementioned mandates to protect civilians in the field;

21. *Recognizes* the necessity of taking into account the protection needs of civilians, in particular women and children, in situations of armed conflict, in the early phase of mandate drafting and throughout the life cycle of United Nations peacekeeping and other relevant missions, and in this regard underlines the importance of engagement with the countries concerned and of close consultation with the Secretariat, troop- and police-contributing countries and other relevant actors;

22. *Recognizes also* the need for comprehensive operational guidance on the tasks and responsibilities of peacekeeping missions in the implementation of protection of civilians mandates, and requests the Secretary-General to develop, in close consultation with Member States, including troop- and police-contributing countries, and other relevant actors, an operational concept for the protection of civilians and to report back on progress made;

23. *Requests* the Secretary-General, in consultation with relevant actors, to ensure that peacekeeping missions with protection of civilians mandates, in keeping with the strategic plans that guide their deployment, conduct mission-wide planning, predeployment training and senior leadership training on the protection of civilians, and requests troop- and police-contributing countries to ensure the provision of appropriate training of their personnel participating in United Nations peacekeeping and other relevant missions to heighten the awareness of and responsiveness to protection concerns, including training on HIV/AIDS and zero tolerance of sexual exploitation and abuse in United Nations peacekeeping missions;

24. *Also requests* the Secretary-General to ensure that all relevant peacekeeping missions with protection mandates incorporate comprehensive protection strategies into the overall mission implementation plans and contingency plans which include assessments of potential threats and options for crisis response and risk mitigation and establish priorities, actions and clear roles and responsibilities under the leadership and coordination of the Special Representative of the Secretary-General, with the full involvement of all relevant actors and in consultation with United Nations country teams;

25. *Further requests* the Secretary-General to ensure that United Nations missions provide local communities with adequate information with regard to the role of the mission and, in this regard, ensure coordination between a United Nations mission and relevant humanitarian agencies;

26. *Takes note* of practical measures taken by ongoing peacekeeping missions and United Nations country teams to enhance the protection of civilians in the field, and requests the Secretary-General to include best practices in his next report on protection of civilians to the Council;

27. *Reaffirms* its practice of requiring benchmarks, as and where appropriate, to measure and review progress made in the implementation of peacekeeping mandates, and stresses the importance of including indicators of progress regarding the protection of civilians in such benchmarks for relevant missions;

28. *Emphasizes* the need for a comprehensive approach to facilitate the implementation of protection mandates by promoting economic growth, good governance, democracy, the rule of law and respect for and protection of human rights, and in this regard urges the cooperation of Member States and underlines the importance of a coherent, comprehensive and coordinated approach by the principal organs of the United Nations, cooperating with one another and within their respective mandates;

29. *Notes* that the excessive accumulation and destabilizing effect of small arms and light weapons pose a considerable impediment to the provision of humanitarian assistance and have the potential to exacerbate and prolong conflicts, endanger civilians and undermine security and the confidence required for a return to peace and stability, calls upon parties to armed conflict to take all feasible precautions to protect the civilian population, including children, from the effects of landmines and other explosive remnants of war, and in this regard encourages the international community to support country efforts in clearing landmines and other explosive remnants of war and to provide assistance for the care, rehabilitation and economic and social reintegration of victims, including persons with disabilities;

30. *Reiterates* the importance of the aide-memoire on the protection of civilians in armed conflict[216] as a practical tool that provides a basis for improved analysis and diagnosis of key protection issues, particularly during deliberations on peacekeeping mandates, and stresses the need to implement the approaches set out therein on a more regular and consistent basis, taking into account the particular circumstances of each conflict situation;

31. *Recognizes* the important role of the Secretary-General in providing timely information to the Council on the protection of civilians in armed conflict, in particular through thematic and country-specific reports and through briefings;

32. *Requests* the Secretary-General to include in his reports to the Council on country-specific situations more comprehensive and detailed information relating to the protection of civilians in armed conflict, including on protection-related incidents and actions taken by

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[216] S/PRST/2009/1, annex.

parties to armed conflict to implement their obligations to respect and protect the civilian population, including information specific to the protection needs of refugees, internally displaced persons, women, children and other vulnerable groups;

33. *Also requests* the Secretary-General to develop guidance for United Nations peacekeeping and other relevant missions on reporting on the protection of civilians in armed conflict with a view to streamlining reporting and enhancing monitoring and oversight by the Council of the implementation of protection mandates of United Nations peacekeeping and other missions;

34. *Stresses* the importance of consultation and cooperation between the United Nations, the International Committee of the Red Cross and other relevant organizations, including regional organizations, to improve the protection of civilians in armed conflict;

35. *Requests* the Secretary-General to submit his next report on the protection of civilians in armed conflict by November 2010;

36. *Decides* to remain seized of the matter.

Adopted unanimously at the 6216th meeting.

Decisions

At its 6354th meeting, on 7 July 2010, the Security Council decided to invite the representatives of Afghanistan, Argentina, Armenia, Australia, Azerbaijan, Bangladesh, Canada, Colombia, Germany, India, Israel, Italy, Liechtenstein, Norway, Pakistan, Peru, Sierra Leone, South Africa, Sri Lanka, Switzerland, the Syrian Arab Republic, the United Republic of Tanzania, Uruguay and Venezuela (Bolivarian Republic of) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "Protection of civilians in armed conflict".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, and Ms. Navanethem Pillay, United Nations High Commissioner for Human Rights.

At the same meeting, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Pedro Serrano, Acting Head of the Delegation of the European Union to the United Nations, in response to his request dated 2 July 2010.

WOMEN AND PEACE AND SECURITY[237]

Decisions

At its 6180th meeting, on 7 August 2009, the Security Council decided to invite the representatives of Afghanistan, Argentina, Australia, Bangladesh, Belgium, Brazil, Canada, Ecuador, Finland, Germany, Iceland, Israel, Italy, Kenya, Liechtenstein, the Netherlands, Nigeria, Norway, Papua New Guinea, Peru, the Republic of Korea, Rwanda, Sierra Leone,

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[237] Resolutions or decisions on this question were first adopted by the Security Council in 2000.

South Africa, Sweden, Switzerland, Timor-Leste and the United Republic of Tanzania to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Women and peace and security

"Report of the Secretary-General pursuant to Security Council resolution 1820 (2008) (S/2009/362)".[238]

At its 6195th meeting, on 30 September 2009, the Council decided to invite the representatives of Albania, Argentina, Armenia, Australia, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Côte d'Ivoire, Cyprus, the Czech Republic, the Democratic Republic of the Congo, Denmark, Djibouti, Estonia, Finland, Georgia, Germany, Ghana, Greece, Hungary, Iceland, India, Ireland, Israel, Italy, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Mongolia, Montenegro, the Netherlands, New Zealand, Nigeria, Norway, Panama, Poland, Portugal, the Republic of Korea, Romania, Rwanda, Senegal, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia and the United Republic of Tanzania to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Women and peace and security

"Report of the Secretary-General pursuant to Security Council resolution 1820 (2008) (S/2009/362)".

Resolution 1888 (2009)
of 30 September 2009

The Security Council,

Reaffirming its commitment to the continuing and full implementation of resolutions 1325 (2000) of 31 October 2000, 1612 (2005) of 26 July 2005, 1674 (2006) of 28 April 2006, 1820 (2008) of 19 June 2008 and 1882 (2009) of 4 August 2009 and all relevant statements by its President,

Welcoming the report of the Secretary-General of 15 July 2009,[239] but remaining deeply concerned over the lack of progress on the issue of sexual violence in situations of armed conflict, in particular against women and children, notably against girls, and noting, as documented in the report of the Secretary-General, that sexual violence occurs in armed conflicts throughout the world,

Reiterating its deep concern that, despite its repeated condemnation of violence against women and children, including all forms of sexual violence in situations of armed conflict, and despite its calls addressed to all parties to armed conflict for the cessation of such acts with immediate effect, such acts continue to occur, and in some situations have become systematic or widespread,

Recalling the commitments contained in the Beijing Declaration and Platform for Action[240] as well as those contained in the outcome documents of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[241] in particular those concerning women and armed conflict,

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[238] Cape Verde submitted a request to be invited to participate, which it subsequently withdrew.

[239] S/2009/362.

[240] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[241] General Assembly resolution S-23/2, annex, and resolution S-23/3, annex.

Reaffirming the obligations of States parties to the Convention on the Elimination of All Forms of Discrimination against Women[242] and the Optional Protocol thereto,[243] and the Convention on the Rights of the Child[244] and the Optional Protocols thereto,[245] and urging States that have not yet done so to consider ratifying or acceding to them,

Recalling that international humanitarian law affords general protection to women and children as part of the civilian population during armed conflicts and special protection due to the fact that they can be placed particularly at risk,

Recalling also the responsibilities of States to end impunity and to prosecute those responsible for genocide, crimes against humanity, war crimes and other egregious crimes perpetrated against civilians, and in this regard noting with concern that only limited numbers of perpetrators of sexual violence have been brought to justice, while recognizing that in conflict and in post-conflict situations national justice systems may be significantly weakened,

Reaffirming that ending impunity is essential if a society in conflict or recovering from conflict is to come to terms with past abuses committed against civilians affected by armed conflict and to prevent such abuses in the future, drawing attention to the full range of justice and reconciliation mechanisms to be considered, including national, international and "mixed" criminal courts and tribunals and truth and reconciliation commissions, and noting that such mechanisms can promote not only individual responsibility for serious crimes but also peace, truth, reconciliation and the rights of the victims,

Recalling the inclusion of a range of sexual violence offences in the Rome Statute of the International Criminal Court[246] and the statutes of the ad hoc international criminal tribunals,

Stressing the necessity for all States and non-State parties to conflicts to comply fully with their obligations under applicable international law, including the prohibition on all forms of sexual violence,

Recognizing the need for civilian and military leaders, consistent with the principle of command responsibility, to demonstrate commitment and political will to prevent sexual violence and to combat impunity and enforce accountability, and that inaction can send a message that the incidence of sexual violence in conflicts is tolerated,

Emphasizing the importance of addressing sexual violence issues from the outset of peace processes and mediation efforts, in order to protect populations at risk and promote full stability, in particular in the areas of pre-ceasefire humanitarian access and human rights agreements, ceasefires and ceasefire monitoring, disarmament, demobilization and reintegration and security sector reform arrangements, justice and reparations, and post-conflict recovery and development,

Noting with concern the underrepresentation of women in formal peace processes, the lack of mediators and ceasefire monitors with proper training in dealing with sexual violence and the lack of women as chief or lead peace mediators in United Nations-sponsored peace talks,

Recognizing that the promotion and empowerment of women and support for women's organizations and networks are essential in the consolidation of peace to promote the equal and full participation of women, and encouraging Member States, donors and civil society, including non-governmental organizations, to provide support in this respect,

Welcoming the inclusion of women in peacekeeping missions in civil, military and police functions, and recognizing that women and children affected by armed conflict may feel more secure working with and reporting abuse to women in peacekeeping missions and that the presence of women peacekeepers may encourage local women to participate in the national armed and security forces, thereby helping to build a security sector that is accessible and responsive to all, especially women,

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[242] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[243] Ibid., vol. 2131, No. 20378.

[244] Ibid., vol. 1577, No. 27531.

[245] Ibid., vols. 2171 and 2173, No. 27531.

[246] Ibid., vol. 2187, No. 38544.

Welcoming also the efforts of the Department of Peacekeeping Operations of the Secretariat to develop gender guidelines for military personnel in peacekeeping operations to facilitate the implementation of resolutions 1325 (2000) and 1820 (2008), and operational guidance to assist civilian, military and police components of peacekeeping missions to effectively implement resolution 1820 (2008),

Having considered the report of the Secretary-General of 15 July 2009, and stressing that the present resolution does not seek to make any legal determination as to whether situations that are referred to in the report of the Secretary-General are or are not armed conflicts in the context of the Geneva Conventions of 1949[247] and the Additional Protocols thereto, of 1977,[248] nor does it prejudge the legal status of the non-State parties involved in those situations,

Recalling its decision, in resolution 1882 (2009), to expand the list of parties in situations of armed conflict engaged in the recruitment or use of children in violation of international law annexed to the annual report of the Secretary-General on children and armed conflict to also include those parties to armed conflict that engage, in contravention of applicable international law, in patterns of killing and maiming of children and/or rape and other sexual violence against children in situations of armed conflict,

Noting the role currently assigned to the Office of the Special Adviser on Gender Issues and Advancement of Women to monitor the implementation of resolution 1325 (2000) and to promote gender mainstreaming within the United Nations system, the empowerment of women and gender equality, and expressing the importance of effective coordination within the United Nations system in these areas,

Recognizing that States bear the primary responsibility to respect and ensure the human rights of their citizens, as well as all individuals within their territory, as provided for by relevant international law,

Reaffirming that parties to armed conflict bear the primary responsibility to take all feasible steps to ensure the protection of affected civilians,

Reiterating its primary responsibility for the maintenance of international peace and security and, in this connection, its commitment to continue to address the widespread impact of armed conflict on civilians, including with regard to sexual violence,

1. *Reaffirms* that sexual violence, when used or commissioned as a tactic of war in order to deliberately target civilians or as a part of a widespread or systematic attack against civilian populations, can significantly exacerbate situations of armed conflict and may impede the restoration of international peace and security, affirms in this regard that effective steps to prevent and respond to such acts of sexual violence can significantly contribute to the maintenance of international peace and security, and expresses its readiness, when considering situations on the agenda of the Security Council, to take, where necessary, appropriate steps to address widespread or systematic sexual violence in situations of armed conflict;

2. *Reiterates its demand* for the complete cessation by all parties to armed conflict of all acts of sexual violence with immediate effect;

3. *Demands* that all parties to armed conflict immediately take appropriate measures to protect civilians, including women and children, from all forms of sexual violence, including

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[247] Ibid., vol. 75, Nos. 970-973.

[248] Ibid., vol. 1125, Nos. 17512 and 17513.

measures such as enforcing appropriate military disciplinary measures and upholding the principle of command responsibility, training troops on the categorical prohibition of all forms of sexual violence against civilians, debunking myths that fuel sexual violence and vetting candidates for national armies and security forces to ensure the exclusion of those associated with serious violations of international humanitarian and human rights law, including sexual violence;

4. *Requests* that the Secretary-General appoint a Special Representative to provide coherent and strategic leadership, to work effectively to strengthen existing United Nations coordination mechanisms and to engage in advocacy efforts, inter alia, with Governments, including military and judicial representatives, as well as with all parties to armed conflict and civil society, in order to address, both at the headquarters and at the country levels, sexual violence in armed conflict, while promoting cooperation and coordination of efforts among all relevant stakeholders, primarily through the inter-agency initiative "United Nations Action against Sexual Violence in Conflict";

5. *Encourages* the entities constituting United Nations Action against Sexual Violence in Conflict, as well as other relevant parts of the United Nations system, to support the work of the Special Representative of the Secretary-General mentioned in paragraph 4 above and to continue and enhance cooperation and information-sharing among all relevant stakeholders in order to reinforce coordination and avoid overlap at the headquarters and country levels and improve system-wide response;

6. *Urges* States to undertake comprehensive legal and judicial reforms, as appropriate, in conformity with international law, without delay and with a view to bringing perpetrators of sexual violence in conflicts to justice and to ensuring that survivors have access to justice, are treated with dignity throughout the justice process and are protected and receive redress for their suffering;

7. *Urges* all parties to conflict to ensure that all reports of sexual violence committed by civilians or by military personnel are thoroughly investigated and the alleged perpetrators brought to justice, and that civilian superiors and military commanders, in accordance with international humanitarian law, use their authority and powers to prevent sexual violence, including by combating impunity;

8. *Calls upon* the Secretary-General to identify and take the appropriate measures to deploy rapidly a team of experts to situations of particular concern with respect to sexual violence in armed conflict, working through the United Nations presence on the ground and with the consent of the host Government, to assist national authorities to strengthen the rule of law, and recommends making use of existing human resources within the United Nations system and voluntary contributions, drawing upon requisite expertise, as appropriate, in the rule of law, civilian and military judicial systems, mediation, criminal investigation, security sector reform, witness protection, fair trial standards and public outreach to, inter alia:

(*a*) Work closely with national legal and judicial officials and other personnel in the civilian and military justice systems of the relevant Governments to address impunity, including by the strengthening of national capacity, and drawing attention to the full range of justice mechanisms to be considered;

(*b*) Identify gaps in national response and encourage a holistic national approach to address sexual violence in armed conflict, including by enhancing criminal accountability, responsiveness to victims and judicial capacity;

(*c*) Make recommendations to coordinate domestic and international efforts and resources to reinforce the ability of the Government to address sexual violence in armed conflict;

(*d*) Work with the United Nations mission, country team and the Special Representative of the Secretary-General mentioned in paragraph 4 above, as appropriate, towards the full implementation of the measures called for in resolution 1820 (2008);

9. *Encourages* States, relevant United Nations entities and civil society, as appropriate, to provide assistance, in close cooperation with national authorities, to build national capacity in the judicial and law enforcement systems in situations of particular concern with respect to sexual violence in armed conflict;

10. *Reiterates its intention*, when adopting or renewing targeted sanctions in situations of armed conflict, to consider including, where appropriate, designation criteria pertaining to acts of rape and other forms of sexual violence, and calls upon all peacekeeping and other relevant United Nations missions and United Nations bodies, in particular the Security Council Working Group on Children and Armed Conflict, to share with relevant Security Council sanctions committees, including through relevant monitoring groups and groups of experts of sanctions committees, all pertinent information about sexual violence;

11. *Expresses its intention* to ensure that resolutions to establish or renew peacekeeping mandates contain provisions, as appropriate, on the prevention of, and response to, sexual violence, with corresponding reporting requirements to the Council;

12. *Decides* to include specific provisions, as appropriate, for the protection of women and children from rape and other sexual violence in the mandates of United Nations peacekeeping operations, including, on a case-by-case basis, the identification of women's protection advisers among gender advisers and human rights protection units, and requests the Secretary-General to ensure that the need for, and the number and roles of, women's protection advisers is systematically assessed during the preparation of each United Nations peacekeeping operation;

13. *Encourages* States, with the support of the international community, to increase access to health care, psychosocial support, legal assistance and socio-economic reintegration services for victims of sexual violence, in particular in rural areas;

14. *Expresses its intention* to make better use of periodical field visits to conflict areas, through the organization of interactive meetings with the local women and women's organizations in the field about the concerns and needs of women in areas of armed conflict;

15. *Encourages* leaders at the national and local levels, including traditional leaders where they exist and religious leaders, to play a more active role in sensitizing communities on sexual violence to avoid marginalization and stigmatization of victims, to assist with their social reintegration and to combat a culture of impunity for these crimes;

16. *Urges* the Secretary-General, Member States and the heads of regional organizations to take measures to increase the representation of women in mediation processes and decision-making processes with regard to conflict resolution and peacebuilding;

17. *Urges* that issues of sexual violence be included in all United Nations-sponsored peace negotiation agendas, and also urges the inclusion of sexual violence issues from the outset of peace processes in such situations, in particular in the areas of pre-ceasefire humanitarian access and human rights agreements, ceasefires and ceasefire monitoring, disarmament, demobilization and reintegration and security sector reform arrangements, vetting of armed and security forces, justice and reparations and recovery development;

18. *Reaffirms* the role of the Peacebuilding Commission in promoting inclusive gender-based approaches to reducing instability in post-conflict situations, noting the important role of women in rebuilding society, and urges the Commission to encourage all parties in the countries on its agenda to incorporate and implement measures to reduce sexual violence in post-conflict strategies;

19. *Encourages* Member States to deploy greater numbers of female military and police personnel to United Nations peacekeeping operations and to provide all military and police personnel with adequate training to carry out their responsibilities;

20. *Requests* the Secretary-General to ensure that technical support is provided to troop- and police-contributing countries in order to include guidance for military and police personnel on addressing sexual violence in predeployment and induction training;

21. *Also requests* the Secretary-General to continue and strengthen efforts to implement the policy of zero tolerance of sexual exploitation and abuse in United Nations peacekeeping operations, and urges troop- and police-contributing countries to take appropriate preventative action, including predeployment and in-theatre awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

22. *Further requests* the Secretary-General to continue to direct all relevant United Nations entities to take specific measures to ensure systematic mainstreaming of gender issues within their respective institutions, including by ensuring the allocation of adequate financial and human resources within all relevant offices and departments and on the ground, as well as to strengthen, within their respective mandates, their cooperation and coordination when addressing the issue of sexual violence in armed conflict;

23. *Urges* relevant Special Representatives of the Secretary-General and the Emergency Relief Coordinator, with strategic and technical support from the United Nations Action against Sexual Violence in Conflict network, to work with Member States to develop joint Government-United Nations comprehensive strategies to combat sexual violence, in consultation with all relevant stakeholders, and to regularly provide updates on this in their standard reporting to Headquarters;

24. *Requests* the Secretary-General to ensure more systematic reporting on the incidence of trends, emerging patterns of attack and early warning indicators of the use of sexual violence in armed conflict in all relevant reports to the Council, and encourages the Special Representatives of the Secretary-General, the Emergency Relief Coordinator, the United Nations High Commissioner for Human Rights, the Special Rapporteur on violence against women, its causes and consequences and the Chair(s) of United Nations Action against Sexual Violence in Conflict to provide to the Council, in coordination with the Special Representative mentioned in paragraph 4 above, additional briefings and documentation on sexual violence in armed conflict;

25. *Also requests* the Secretary-General to include, where appropriate, in his regular reports on individual peacekeeping operations, information on steps taken to implement measures to protect civilians, particularly women and children, against sexual violence;

26. *Further requests* the Secretary-General, taking into account the proposals contained in his report[illegible] as well as any other relevant elements, to devise urgently and preferably within three months specific proposals on ways to ensure monitoring and reporting in a more effective and efficient way within the existing United Nations system on the protection of women and children from rape and other sexual violence in armed conflict and post-conflict situations, utilizing expertise from the United Nations system and the contributions of national Governments, regional organizations, non-governmental organizations in their advisory capacity and various civil society actors, in order to provide timely, objective, accurate and reliable information on gaps in the response by United Nations entities, for consideration in taking appropriate action;

27. *Requests* the Secretary-General to continue to submit annual reports to the Council on the implementation of resolution 1820 (2008) and to submit by September 2010 his next report, on the implementation of the present resolution and resolution 1820 (2008), to include, inter alia:

(*a*) A detailed coordination and strategy plan on the timely and ethical collection of information;

(*b*) Updates on efforts by United Nations mission focal points on sexual violence to work closely with the Resident Coordinator/Humanitarian Coordinator, the United Nations country team and, where appropriate, the Special Representative mentioned in paragraph 4 above and/or the team of experts mentioned in paragraph 8 above to address sexual violence;

(*c*) Information regarding parties to armed conflict that are credibly suspected of committing patterns of rape or other forms of sexual violence in situations that are on the agenda of the Council;

28. *Decides* to review, taking into account the process established by General Assembly resolution 63/311 of 14 September 2009 regarding a United Nations composite gender entity, the mandates of the Special Representative requested in paragraph 4 above and the team of experts requested in paragraph 8 above, within two years, and as appropriate thereafter;

29. *Decides also* to remain actively seized of the matter.

Adopted unanimously at the 6195th meeting.

Decisions

At its 6196th meeting, on 5 October 2009, the Security Council decided to invite the representatives of Afghanistan, Argentina, Australia, Belgium, Brazil, Cambodia, Canada, Colombia, Denmark, Ecuador, Egypt, Finland, Germany, Iceland, India, Indonesia, Ireland, Italy, the Lao People's Democratic Republic, Liechtenstein, Luxembourg, Micronesia (Federated States of), the Netherlands, New Zealand, Nigeria, Norway, Papua New Guinea, the Philippines, Portugal, the Republic of Korea, Serbia, Sierra Leone, Singapore, South Africa, Sri Lanka, Sweden, Switzerland, Ukraine, the United Republic of Tanzania and Venezuela (Bolivarian Republic of) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Women and peace and security

> "Report of the Secretary-General on women and peace and security (S/2009/465 and Corr.1)
>
> "Letter dated 18 September 2009 from the Permanent Representative of Viet Nam to the United Nations addressed to the Secretary-General (S/2009/490)".[249]

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Ms. Rachel Mayanja, Special Adviser to the Secretary-General on Gender Issues and Advancement of Women, and Ms. Ines Alberdi, Executive Director of the United Nations Development Fund for Women.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Asha Hagi Elmi Amin, representative of the NGO Working Group on Women, Peace and Security.

At the same meeting, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Tete Antonio, Acting Permanent Observer of the African Union to the United Nations, in response to the request dated 1 October 2009 from the Permanent Representative of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Council.

Resolution 1889 (2009)
of 5 October 2009

The Security Council,

Reaffirming its commitment to the continuing and full implementation, in a mutually reinforcing manner, of resolutions 1325 (2000) of 31 October 2000, 1612 (2005) of 26 July

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[249] Azerbaijan submitted a request to be invited to participate, which it subsequently withdrew.

2005, 1674 (2006) of 28 April 2006, 1820 (2008) of 19 June 2008, 1882 (2009) of 4 August 2009 and 1888 (2009) of 30 September 2009 and all relevant statements by its President,

Guided by the purposes and principles of the Charter of the United Nations, and bearing in mind the primary responsibility of the Security Council under the Charter for the maintenance of international peace and security,

Recalling the resolve, expressed in the 2005 World Summit Outcome,[250] to eliminate all forms of violence against women and girls and the obligations of States parties to the Convention on the Elimination of All Forms of Discrimination Against Women[242] and the Optional Protocol thereto,[243] and the Convention on the Rights of the Child[244] and the Optional Protocols thereto,[245] recalling also the commitments contained in the Beijing Declaration and Platform for Action[240] as well as those contained in the outcome documents of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[241] in particular those concerning women and armed conflict,

Having considered the report of the Secretary-General of 16 September 2009,[251] and stressing that the present resolution does not seek to make any legal determination as to whether situations that are referred to in the report of the Secretary-General are or are not armed conflicts in the context of the Geneva Conventions of 1949[247] and the Additional Protocols thereto, of 1977,[248] nor does it prejudge the legal status of the non-State parties involved in those situations,

Welcoming the efforts of Member States in implementing resolution 1325 (2000) at the national level, including the development of national action plans, and encouraging Member States to continue to pursue such implementation,

Reiterating the need for the full, equal and effective participation of women at all stages of peace processes, given their vital role in the prevention and resolution of conflict and in peacebuilding, reaffirming the key role that women can play in re-establishing the fabric of recovering society, and stressing the need for their involvement in the development and implementation of post-conflict strategies in order to take into account their perspectives and needs,

Expressing deep concern about the underrepresentation of women at all stages of peace processes, in particular the very low numbers of women in formal roles in mediation processes, and stressing the need to ensure that women are appropriately appointed at decision-making levels, as high-level mediators, and in the composition of the mediators' teams,

Remaining deeply concerned about the persistent obstacles to women's full involvement in the prevention and resolution of conflicts and participation in post-conflict public life, as a result of violence and intimidation, lack of security and lack of rule of law, cultural discrimination and stigmatization, including the rise of extremist or fanatical views on women, and socio-economic factors, including the lack of access to education, and in this respect recognizing that the marginalization of women can delay or undermine the achievement of durable peace, security and reconciliation,

Recognizing the particular needs of women and girls in post-conflict situations, including physical security, health services, including reproductive and mental health, ways to ensure their livelihoods, land and property rights, employment, as well as their participation in decision-making and post-conflict planning, particularly at early stages of post-conflict peacebuilding,

Noting that despite progress, obstacles to strengthening the participation of women in conflict prevention, conflict resolution and peacebuilding remain, expressing concern that the capacity of women to engage in public decision-making and economic recovery often does not receive adequate recognition or financing in post-conflict situations, and underlining that funding for early recovery needs of women is vital to increase the empowerment of women, which can contribute to effective post-conflict peacebuilding,

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[250] See General Assembly resolution 60/1.

[251] S/2009/465 and Corr.1.

Noting also that women in situations of armed conflict and post-conflict situations continue to be considered often as victims and not as actors in addressing and resolving situations of armed conflict, and stressing the need to focus not only on the protection of women but also on their empowerment in peacebuilding,

Recognizing that an understanding of the impact of situations of armed conflict on women and girls, including as refugees and internally displaced persons, adequate and rapid response to their particular needs and effective institutional arrangements to guarantee their protection and full participation in the peace process, particularly at early stages of post-conflict peacebuilding, can significantly contribute to the maintenance and promotion of international peace and security,

Welcoming the United Nations initiative to develop a system similar to that pioneered by the United Nations Development Programme to allow decision-makers to track gender-related allocations in United Nations Development Group Multi-Donor Trust Funds,

Welcoming also the efforts of the Secretary-General to appoint more women to senior United Nations positions, particularly in field missions, as a tangible step towards providing United Nations leadership on implementation of resolution 1325 (2000),

Welcoming further the upcoming establishment of a United Nations steering committee to enhance visibility and strengthen coordination within the United Nations system regarding the preparations for the tenth anniversary of resolution 1325 (2000),

Encouraging relevant actors to organize events during the period 2009–2010 at the global, regional and national levels to increase awareness about resolution 1325 (2000), including ministerial events, to renew commitments to "Women and peace and security" and to identify ways to address remaining and new challenges in implementing resolution 1325 (2000) in the future,

1. *Urges* Member States and international and regional organizations to take further measures to improve the participation of women during all stages of peace processes, particularly in conflict resolution, post-conflict planning and peacebuilding, including by enhancing their engagement in political and economic decision-making at early stages of recovery processes, by, inter alia, promoting women's leadership and capacity to engage in aid management and planning, supporting women's organizations and countering negative societal attitudes about the capacity of women to participate equally;

2. *Reiterates its call* for all parties to armed conflicts to respect fully international law applicable to the rights and protection of women and girls;

3. *Strongly condemns* all violations of applicable international law committed against women and girls in situations of armed conflict and post-conflict situations, demands that all parties to conflicts cease such acts with immediate effect, and emphasizes the responsibility of all States to put an end to impunity and to prosecute those responsible for all forms of violence committed against women and girls in armed conflicts, including rape and other sexual violence;

4. *Calls upon* the Secretary-General to develop a strategy, including through appropriate training, to increase the number of women appointed to pursue good offices on his behalf, particularly as Special Representatives and Special Envoys, and to take measures to increase the participation of women in United Nations political, peacebuilding and peacekeeping missions;

5. *Requests* the Secretary-General to ensure that all country reports to the Security Council provide information on the impact of situations of armed conflict on women and girls, their particular needs in post-conflict situations and obstacles to meeting those needs;

6. *Also requests* the Secretary-General to ensure that relevant United Nations bodies, in cooperation with Member States and civil society, collect data on, analyse and systematically

assess the particular needs of women and girls in post-conflict situations, including information on their needs for physical security and participation in decision-making and post-conflict planning, in order to improve system-wide response to those needs;

7. *Expresses its intention*, when establishing and renewing the mandates of United Nations missions, to include provisions on the promotion of gender equality and the empowerment of women in post-conflict situations, requests the Secretary-General to continue, as appropriate, to appoint gender advisers and/or women's protection advisers to United Nations missions, and asks them, in cooperation with United Nations country teams, to render technical assistance and improved coordination efforts to address recovery needs of women and girls in post-conflict situations;

8. *Urges* Member States to ensure gender mainstreaming in all post-conflict peacebuilding and recovery processes and sectors;

9. *Urges* Member States, United Nations bodies, donors and civil society to ensure that the empowerment of women is taken into account during post-conflict needs assessments and planning and factored into subsequent funding disbursements and programme activities, including by developing transparent analysis and tracking of funds allocated for addressing the needs of women in the post-conflict phase;

10. *Encourages* Member States in post-conflict situations, in consultation with civil society, including women's organizations, to specify in detail the needs and priorities of women and girls and to design concrete strategies, in accordance with their legal systems, to address those needs and priorities, which cover, inter alia, support for greater physical security and better socio-economic conditions, through education, income-generating activities, access to basic services, in particular health services, including sexual and reproductive health and reproductive rights and mental health, gender-responsive law enforcement and access to justice, as well as enhancing capacity to engage in public decision-making at all levels;

11. *Urges* Member States, United Nations bodies and civil society, including non-governmental organizations, to take all feasible measures to ensure women and girls' equal access to education in post-conflict situations, given the vital role of education in the promotion of women's participation in post-conflict decision-making;

12. *Calls upon* all parties to armed conflicts to respect the civilian and humanitarian character of refugee camps and settlements and ensure the protection of all civilians inhabiting such camps, in particular women and girls, from all forms of violence, including rape and other sexual violence, and to ensure full, unimpeded and secure humanitarian access to them;

13. *Calls upon* all those involved in the planning for disarmament, demobilization and reintegration to take into account the particular needs of women and girls associated with armed forces and armed groups and their children, and provide for their full access to these programmes;

14. *Encourages* the Peacebuilding Commission and the Peacebuilding Support Office to continue to ensure systematic attention to and mobilization of resources for advancing gender equality and the empowerment of women as an integral part of post-conflict peacebuilding, and to encourage the full participation of women in this process;

15. *Requests* the Secretary-General, in his agenda for action to improve the peacebuilding efforts of the United Nations, to take account of the need to improve the participation of women in political and economic decision-making from the earliest stages of the peacebuilding process;

16. *Also requests* the Secretary-General to ensure full transparency, cooperation and coordination of efforts between the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Representative of the Secretary-General on sexual violence and armed conflict whose appointment has been requested in resolution 1888 (2009);

17. *Further requests* the Secretary-General to submit to the Council within six months, for consideration, a set of indicators for use at the global level to track implementation of resolution

1325 (2000), which could serve as a common basis for reporting by relevant United Nations entities, other international and regional organizations and Member States on the implementation of resolution 1325 (2000) in 2010 and beyond;

18. *Requests* the Secretary-General, in the report requested in the statement by the President of the Security Council of 23 October 2007,[252] to also include a review of progress in the implementation of resolution 1325 (2000), an assessment of the processes by which the Council receives, analyses and takes action on information pertinent to resolution 1325 (2000), recommendations on further measures to improve coordination across the United Nations system and with Member States and civil society to deliver implementation, and data on the participation of women in United Nations missions;

19. *Also requests* the Secretary-General to submit a report to the Council within twelve months on addressing women's participation and inclusion in peacebuilding and planning in the aftermath of conflict, taking into consideration the views of the Peacebuilding Commission and including, inter alia:

(*a*) An analysis of the particular needs of women and girls in post-conflict situations;

(*b*) Challenges to the participation of women in conflict resolution and peacebuilding and gender mainstreaming in all early post-conflict planning, financing and recovery processes;

(*c*) Measures to support national capacity in planning for and financing responses to the needs of women and girls in post-conflict situations;

(*d*) Recommendations for improving international and national responses to the needs of women and girls in post-conflict situations, including the development of effective financial and institutional arrangements to guarantee the full and equal participation of women in the peacebuilding process;

20. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6196th meeting.

Decisions

On 2 February 2010, the President of the Security Council addressed the following letter to the Secretary-General:[253]

> "I have the honour to inform you that your letter dated 29 January 2010, in which you informed me of your intention to appoint Ms. Margot Wallström, of Sweden, as Special Representative of the Secretary-General on Sexual Violence in Conflict,[254] has been brought to the attention of the members of the Security Council, who have taken note of it."

At its 6302nd meeting, on 27 April 2010, the Council considered the item entitled:

"Women and peace and security

> "Report of the Secretary-General on women and peace and security (S/2010/173)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend invitations, under rule 39 of its provisional rules of procedure, to Ms. Margot Wallström, Special Representative of the Secretary-General on Sexual Violence in Conflict, and Ms. Rachel Mayanja, Special Adviser to the Secretary-General on Gender Issues and Advancement of Women.

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[252] S/PRST/2007/40.

[253] S/2010/63.

[254] S/2010/62.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[255]

"The Security Council welcomes the appointment of Ms. Margot Wallström as Special Representative of the Secretary-General on Sexual Violence in Conflict and reiterates its support of her mandate as outlined in resolution 1888 (2009).

"The Council welcomes the timely submission of the report of the Secretary-General requested in resolution 1889 (2009)[256] and takes note of both the indicators and the recommendations contained in the report.

"The Council notes that indicators contained in the report would need technical and conceptual development before they could become operational.

"The Council requests the Secretary-General to continue to consult with the Council, taking into account views expressed by other relevant stakeholders, including the broader United Nations membership, taking into account the need to further develop indicators contained in his report and the parallel ongoing work regarding resolution 1888 (2009), in order to include a comprehensive set of indicators in his next report on the implementation of resolution 1325 (2000), to be submitted to the Council in October 2010, as well as a programme of work containing roles and responsibilities vis-à-vis the indicators within the United Nations system and a time frame to render the indicators operational.

"The Council requests the Secretary-General to continue to ensure that all country reports to the Council provide information on the impact of situations of armed conflict on women and girls, their particular needs in post-conflict situations and obstacles to meeting those needs.

"The Council expresses its intention to take action on a comprehensive set of indicators on the occasion of the tenth anniversary of resolution 1325 (2000) in October 2010, for use at the global level to track implementation of resolution 1325 (2000).

"The Council reiterates its desire to commemorate the tenth anniversary of resolution 1325 (2000)."

BRIEFING BY THE PRESIDENT OF THE INTERNATIONAL COURT OF JUSTICE[257]

Decision

At its 6208th meeting, held in private on 29 October 2009, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 6208th meeting, held in private on 29 October 2009, the Security Council considered the item entitled 'Briefing by the President of the International Court of Justice'.

"In accordance with the understanding reached in the Council's prior consultations, the President extended an invitation under rule 39 of the provisional rules of procedure of the Council to Judge Hisashi Owada, President of the International Court of Justice.

"Members of the Council and Judge Owada had an exchange of views."

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[255] S/PRST/2010/8.

[256] S/2010/173.

[257] Resolutions or decisions on this question were first adopted by the Security Council in 2000.

BRIEFING BY THE CHAIRMAN-IN-OFFICE OF THE ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE[298]

Decisions

At its 6268th meeting, on 5 February 2010, the Security Council considered the item entitled "Briefing by the Chairman-in-Office of the Organization for Security and Cooperation in Europe".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Kanat Saudabayev, Chairman-in-Office of the Organization for Security and Cooperation in Europe and Secretary of State and Minister for Foreign Affairs of Kazakhstan.

MEETING OF THE SECURITY COUNCIL WITH THE TROOP- AND POLICE-CONTRIBUTING COUNTRIES PURSUANT TO RESOLUTION 1353 (2001), ANNEX II, SECTIONS A AND B[299]

A. United Nations Peacekeeping Force in Cyprus

Decisions

At its 6231st meeting, held in private on 7 December 2009, the Security Council decided to authorize its President to issue through the Secretary-General the following communique, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 7 December 2009, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6231st meeting, in private with the troop-contributing countries to the United Nations Peacekeeping Force in Cyprus.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Taye-Brook Zerihoun, Special Representative of the Secretary-General for Cyprus and Head of the United Nations Peacekeeping Force in Cyprus."

At its 6331st meeting, held in private on 4 June 2010, the Council decided to authorize its President to issue through the Secretary-General the following communique, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 4 June 2010, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 6331st meeting, in private with the troop- and police-contributing countries to the United Nations Peacekeeping Force in Cyprus.
>
> "The Council and the troop- and police-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Atul Khare, Assistant Secretary-General for Peacekeeping Operations.
>
> "Members of the Council, Mr. Khare and representatives of participating troop- and police-contributing countries had an exchange of views."

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[298] Resolutions or decisions on this question were first adopted by the Security Council in 2001.

[299] Resolutions or decisions on this question were first adopted by the Security Council in 2001. As from the 6275th meeting, held on 22 February 2010, the wording of the item "Meeting of the Security Council with the troop-contributing countries pursuant to resolution 1353 (2001), annex II, sections A and B" was revised to read "Meeting of the Security Council with the troop- and police-contributing countries pursuant to resolution 1353 (2001), annex II, sections A and B".

B. United Nations Disengagement Observer Force

Decisions

At its 6232nd meeting, held in private on 7 December 2009, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 7 December 2009, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6232nd meeting, in private with the troop-contributing countries to the United Nations Disengagement Observer Force.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Ms. Nina Lahoud, Officer-in-Charge of the Asia and Middle East Division of the Department of Peacekeeping Operations of the Secretariat.

"Members of the Council, Ms. Lahoud and representatives of participating troop-contributing countries had an exchange of views."

At its 6343rd meeting, held in private on 21 June 2010, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 21 June 2010, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 6343rd meeting, in private with the troop- and police-contributing countries to the United Nations Disengagement Observer Force.

"The Council and the troop- and police-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Wolfgang Weisbrod-Weber, Director of the Asia and Middle East Division of the Department of Peacekeeping Operations of the Secretariat.

"Members of the Council, Mr. Weisbrod-Weber and representatives of participating troop- and police-contributing countries had an exchange of views."

C. United Nations Interim Force in Lebanon

Decision

At its 6181st meeting, held in private on 13 August 2009, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 13 August 2009, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6181st meeting, in private with the troop-contributing countries to the United Nations Interim Force in Lebanon.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Edmond Mulet, Assistant Secretary-General for Peacekeeping Operations.

"Members of the Council, Mr. Mulet and representatives of participating troop-contributing countries had an exchange of views."

D. United Nations Mission for the Referendum in Western Sahara

Decision

At its 6295th meeting, held in private on 9 April 2010, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 9 April 2010, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6295th meeting, in private with the troop- and police-contributing countries to the United Nations Mission for the Referendum in Western Sahara.
>
> "The Council and the troop- and police-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Wolfgang Weisbrod-Weber, Director of the Asia and Middle East Division of the Department of Peacekeeping Operations of the Secretariat."

E. United Nations Organization Mission in the Democratic Republic of the Congo

Decisions

At its 6237th meeting, held in private on 10 December 2009, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 10 December 2009, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6237th meeting, in private with the troop-contributing countries to the United Nations Organization Mission in the Democratic Republic of the Congo.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council, via video teleconference, by Mr. Alan Doss, Special Representative of the Secretary-General for the Democratic Republic of the Congo and Head of the United Nations Organization Mission in the Democratic Republic of the Congo.
>
> "Members of the Council, Mr. Doss and representatives of participating troop-contributing countries had an exchange of views."

At its 6294th meeting, held in private on 7 April 2010, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 7 April 2010, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 6294th meeting, in private with the troop- and police-contributing countries to the United Nations Organization Mission in the Democratic Republic of the Congo.
>
> "The Council and the troop- and police-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Alan Doss, Special Representative of the Secretary-General for the Democratic Republic of the Congo and Head of the United Nations Organization Mission in the Democratic Republic of the Congo.
>
> "Members of the Council, Mr. Doss and representatives of participating troop- and police-contributing countries had an exchange of views."

F. United Nations Mission in Liberia

Decision

At its 6184th meeting, held in private on 3 September 2009, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 3 September 2009, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6184th meeting, in private with the troop-contributing countries to the United Nations Mission in Liberia.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Ms. Ellen Margrethe Løj, Special Representative of the Secretary-General for Liberia and Head of the United Nations Mission in Liberia.
>
> "Members of the Council, Ms. Løj and representatives of participating troop-contributing countries had an exchange of views."

G. United Nations Operation in Côte d'Ivoire

Decisions

At its 6258th meeting, held in private on 14 January 2010, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 14 January 2010, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6258th meeting, in private with the troop-contributing countries to the United Nations Operation in Côte d'Ivoire.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Choi Young-Jin, Special Representative of the Secretary-General for Côte d'Ivoire and Head of the United Nations Operation in Côte d'Ivoire.
>
> "Members of the Council, Mr. Choi and representatives of participating troop-contributing countries had an exchange of views."

At its 6328th meeting, held in private on 3 June 2010, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 3 June 2010, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 6328th meeting, in private with the troop- and police-contributing countries to the United Nations Operation in Côte d'Ivoire.
>
> "The Council and the troop- and police-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Choi Young-Jin, Special Representative of the Secretary-General for Côte d'Ivoire and Head of the United Nations Operation in Côte d'Ivoire.
>
> "Members of the Council, Mr. Choi and representatives of participating troop- and police-contributing countries had an exchange of views."

H. United Nations Stabilization Mission in Haiti

Decision

At its 6185th meeting, held in private on 4 September 2009, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 4 September 2009, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6185th meeting, in private with the troop-contributing countries to the United Nations Stabilization Mission in Haiti.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Edmond Mulet, Assistant Secretary-General for Peacekeeping Operations.

"Members of the Council, Mr. Mulet and representatives of participating troop-contributing countries had an exchange of views."

I. United Nations Mission in the Sudan

Decision

At its 6296th meeting, held in private on 9 April 2010, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 9 April 2010, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6296th meeting, in private with the troop- and police-contributing countries to the United Nations Mission in the Sudan.

"The Council and the troop- and police-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Jack Christofides, Principal Officer in the Department of Peacekeeping Operations of the Secretariat.

"Members of the Council, Mr. Christofides and representatives of participating troop- and police-contributing countries had an exchange of views."

J. United Nations Integrated Mission in Timor-Leste

Decisions

At its 6275th meeting, held in private on 22 February 2010, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 22 February 2010, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6275th meeting, in private with the troop- and police-contributing countries to the United Nations Integrated Mission in Timor-Leste.

"The Council and the troop- and police-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Ms. Ameerah Haq, Special Representative of the Secretary-General for Timor-Leste and Head of the United Nations Integrated Mission in Timor-Leste.

"Members of the Council, Ms. Haq and representatives of participating troop- and police-contributing countries had an exchange of views."

At its 6332nd meeting, held in private on 4 June 2010, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 4 June 2010, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 6332nd meeting, in private with the police- and military liaison officer-contributing countries to the United Nations Integrated Mission in Timor-Leste.
>
> "The Council and the police- and military liaison officer-contributing countries heard briefings under rule 39 of the provisional rules of procedure of the Council by Mr. Atul Khare, Assistant Secretary-General for Peacekeeping Operations, and Mr. Ata Yenigun of the Police Division of the Department of Peacekeeping Operations of the Secretariat.
>
> "Members of the Council, Mr. Khare and representatives of participating police- and military liaison officer-contributing countries had an exchange of views."

K. African Union-United Nations Hybrid Operation in Darfur

Decision

At its 6361st meeting, held in private on 19 July 2010, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 19 July 2010, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6361st meeting, in private with the troop- and police-contributing countries to the African Union-United Nations Hybrid Operation in Darfur.
>
> "The Council and the troop- and police-contributing countries heard briefings under rule 39 of the provisional rules of procedure of the Council by Mr. Atul Khare, Assistant Secretary-General for Peacekeeping Operations, Lieutenant General Chikadibia Obiakor, Military Adviser for Peacekeeping Operations, Mr. Ata Yenigun of the Police Division of the Department of Peacekeeping Operations of the Secretariat, and Mr. Emil Petrunov of the Department of Field Support of the Secretariat.
>
> "Members of the Council, Mr. Khare, Lieutenant General Obiakor, Mr. Yenigun, Mr. Petrunov and representatives of participating troop- and police-contributing countries had an exchange of views."

L. United Nations Mission in the Central African Republic and Chad

Decisions

At its 6282nd meeting, held in private on 10 March 2010, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 10 March 2010, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 6282nd meeting, in private with the troop- and police-contributing countries to the United Nations Mission in the Central African Republic and Chad.
>
> "The Council and the troop- and police-contributing countries heard briefings under rule 39 of the provisional rules of procedure of the Council by Lieutenant General Chikadibia Obiakor, Military Adviser for Peacekeeping Operations, and Ms. Ingrid Hayden of the Africa I Division of the Department of Peacekeeping Operations of the Secretariat.

> "Members of the Council, Lieutenant General Obiakor, Ms. Hayden and representatives of participating troop- and police-contributing countries had an exchange of views."

At its 6307th meeting, held in private on 5 May 2010, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 5 May 2010, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 6307th meeting, in private with the troop- and police-contributing countries to the United Nations Mission in the Central African Republic and Chad.
>
> "The Council and the troop- and police-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Youssef Mahmoud, Special Representative of the Secretary-General for the Central African Republic and Chad and Head of the United Nations Mission in the Central African Republic and Chad.
>
> "Members of the Council, Mr. Mahmoud and representatives of participating troop- and police-contributing countries had an exchange of views."

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY TERRORIST ACTS[300]

Decisions

On 16 December 2009, the President of the Security Council addressed the following letter to the Secretary-General:[301]

> "I have the honour to inform you that your letter dated 11 December 2009 concerning your intention to extend the appointment of Mr. Mike Smith as Executive Director of the Counter-Terrorism Committee Executive Directorate until 31 December 2010[302] has been brought to the attention of the members of the Security Council, who have taken due note of your intention."

At its 6247th meeting, on 17 December 2009, the Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

Resolution 1904 (2009)
of 17 December 2009

The Security Council,

Recalling its resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000, 1363 (2001) of 30 July 2001, 1373 (2001) of 28 September 2001, 1390 (2002) of 16 January 2002, 1452 (2002) of 20 December 2002, 1455 (2003) of 17 January 2003, 1526 (2004) of 30 January 2004, 1566 (2004) of 8 October 2004, 1617 (2005) of 29 July 2005, 1624 (2005) of 14 September 2005, 1699 (2006) of 8 August 2006, 1730 (2006) of 19 December 2006, 1735 (2006) of 22 December 2006 and 1822 (2008) of 30 June 2008, and the relevant statements by its President,

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[300] Resolutions or decisions on this question were first adopted by the Security Council in 2001.

[301] S/2009/656.

[302] S/2009/655.

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivations, whenever and by whomsoever committed, and reiterating its unequivocal condemnation of Al-Qaida, Osama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, for ongoing and multiple criminal terrorist acts aimed at causing the death of innocent civilians and other victims, and the destruction of property and greatly undermining stability,

Reaffirming also the need to combat by all means, in accordance with the Charter of the United Nations and international law, including applicable international human rights, refugee and humanitarian law, threats to international peace and security caused by terrorist acts, and stressing in this regard the important role that the United Nations plays in leading and coordinating this effort,

Expressing its concern at the increase in incidents of kidnapping and hostage-taking by individuals, groups, undertakings and entities associated with Al-Qaida, Osama bin Laden or the Taliban with the aim of raising funds or gaining political concessions,

Reiterating its support for the fight against the illicit production of and trafficking in drugs from, and chemical precursors to, Afghanistan, in neighbouring countries, countries on trafficking routes, drug destination countries and precursor-producing countries,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States and international and regional organizations to impede, impair, isolate and incapacitate the terrorist threat,

Emphasizing that sanctions are an important tool under the Charter in the maintenance and restoration of international peace and security, and stressing in this regard the need for robust implementation of the measures in paragraph 1 of the present resolution as a significant tool in combating terrorist activity,

Urging all Member States to participate actively in maintaining and updating the list created pursuant to resolutions 1267 (1999) and 1333 (2000) ("the Consolidated List") by contributing additional information pertinent to current listings, by submitting de-listing requests when appropriate, and by identifying and nominating for listing additional individuals, groups, undertakings and entities which should be subject to the measures referred to in paragraph 1 of the present resolution,

Taking note of challenges, both legal and otherwise, to the measures implemented by Member States under paragraph 1 of the present resolution, welcoming improvements to the procedures of the Security Council Committee established pursuant to resolution 1267 (1999) and the quality of the Consolidated List, and expressing its intention to continue efforts to ensure that procedures are fair and clear,

Reiterating that the measures referred to in paragraph 1 of the present resolution are preventative in nature and are not reliant upon criminal standards set out under national law,

Recalling the adoption by the General Assembly on 8 September 2006 of the United Nations Global Counter-Terrorism Strategy[illegible] and the creation of the Counter-Terrorism Implementation Task Force to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system,

Welcoming the continuing cooperation between the Committee and the International Criminal Police Organization (INTERPOL), the United Nations Office on Drugs and Crime, in

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[illegible] General Assembly resolution 60/288.

particular on technical assistance and capacity-building, and all other United Nations bodies, and encouraging further engagement with the Counter-Terrorism Implementation Task Force to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system,

Noting with concern the continued threat posed to international peace and security, ten years after the adoption of resolution 1267 (1999), by Al-Qaida, Osama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, and reaffirming its resolve to address all aspects of that threat,

Acting under Chapter VII of the Charter,

Measures

1. *Decides* that all States shall take the following measures, as previously imposed by paragraph 4 (*b*) of resolution 1267 (1999), paragraph 8 (*c*) of resolution 1333 (2000) and paragraphs 1 and 2 of resolution 1390 (2002), with respect to Al-Qaida, Osama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) ("the Consolidated List"):

(*a*) Freeze without delay the funds and other financial assets or economic resources of those individuals, groups, undertakings and entities, including funds derived from property owned or controlled, directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly, for the benefit of such persons by their nationals or by persons within their territories;

(*b*) Prevent the entry into or transit through their territories of those individuals, provided that nothing in the present paragraph shall oblige any State to deny entry into or require the departure from its territories of its own nationals and that the present paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process, or the Security Council Committee established pursuant to resolution 1267 (1999) determines on a case-by-case basis only that entry or transit is justified;

(*c*) Prevent the direct or indirect supply, sale or transfer to those individuals, groups, undertakings and entities, from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical advice, assistance or training related to military activities;

2. *Reaffirms* that acts or activities indicating that an individual, group, undertaking or entity is associated with Al-Qaida, Osama bin Laden or the Taliban include:

(*a*) Participating in the financing, planning, facilitating, preparing or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;

(*b*) Supplying, selling or transferring arms and related materiel to;

(*c*) Recruiting for; or

(*d*) Otherwise supporting acts or activities of Al-Qaida, Osama bin Laden or the Taliban, or any cell, affiliate, splinter group or derivative thereof;

3. *Further reaffirms* that any undertaking or entity owned or controlled, directly or indirectly, by, or otherwise supporting, such an individual, group, undertaking or entity associated with Al-Qaida, Osama bin Laden or the Taliban shall be eligible for designation;

4. *Confirms* that the requirements in paragraph 1 (*a*) above apply to financial and economic resources of every kind, including but not limited to those used for the provision of Internet hosting or related services, used for the support of Al-Qaida, Osama bin Laden or the Taliban, and other individuals, groups, undertakings or entities associated with them;

5. *Confirms also* that the requirements in paragraph 1 (*a*) above shall also apply to the payment of ransoms to individuals, groups, undertakings or entities on the Consolidated List;

6. *Decides* that Member States may permit the addition to accounts frozen pursuant to the provisions of paragraph 1 above of any payment in favour of listed individuals, groups, undertakings or entities, provided that any such payments continue to be subject to the provisions in paragraph 1 above and are frozen;

7. *Encourages* Member States to make use of the provisions regarding available exemptions to the measures in paragraph 1 (*a*) above set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006), and directs the Committee to review the procedures for exemptions as set out in the Committee guidelines to facilitate their use by Member States and to continue to ensure that humanitarian exemptions are granted expeditiously and transparently;

Listing

8. *Encourages* all Member States to submit to the Committee for inclusion in the Consolidated List names of individuals, groups, undertakings and entities participating, by any means, in the financing or support of acts or activities of Al-Qaida, Osama bin Laden or the Taliban, and other individuals, groups, undertakings and entities associated with them, as described in paragraph 2 of resolution 1617 (2005) and reaffirmed in paragraph 2 above, and further encourages Member States to appoint a national contact point concerning entries on the Consolidated List;

9. *Notes* that such means of financing or support include but are not limited to the use of proceeds derived from illicit cultivation and production of and trafficking in narcotic drugs originating particularly in Afghanistan, and their precursors;

10. *Reiterates its call for* continued cooperation between the Committee and the Government of Afghanistan and the United Nations Assistance Mission in Afghanistan, including by identifying individuals and entities participating in the financing or support of acts or activities of Al-Qaida and the Taliban as described in paragraph 30 of resolution 1806 (2008) of 20 March 2008;

11. *Reaffirms* that, when proposing names to the Committee for inclusion in the Consolidated List, Member States shall act in accordance with paragraph 5 of resolution 1735 (2006) and paragraph 12 of resolution 1822 (2008) and provide a detailed statement of case, and decides further that the statement of case shall be releasable, upon request, except for the parts that a Member State identifies as being confidential to the Committee, and may be used to develop the narrative summary of reasons for listing described in paragraph 14 below;

12. *Encourages* Member States proposing a new designation, as well as Member States that have proposed names for inclusion in the Consolidated List before the adoption of the present resolution, to specify whether the Committee may make known, upon request from a Member State, the status of the Member State as a designating State;

13. *Calls upon* Member States, when proposing names to the Committee for inclusion in the Consolidated List, to use the new standard form for listing, once it is adopted and placed on the Committee website, and requests that they provide the Committee with as much relevant information as possible on the proposed name, in particular sufficient identifying information to allow for the accurate and positive identification of individuals, groups, undertakings and entities, and directs the Committee to update, as necessary, the standard form for listing in accordance with the provisions of the present resolution;

14. *Directs* the Committee, with the assistance of the Analytical Support and Sanctions Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee website, at the same time that a name is added to the Consolidated List, a narrative summary of reasons for listing for the corresponding entry or entries, and further directs the

Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to continue its efforts to make accessible on the Committee website narrative summaries of reasons for listing for entries that were added to the Consolidated List before the date of adoption of resolution 1822 (2008);

15. *Encourages* Member States and relevant international organizations to inform the Committee of any relevant court decisions and proceedings so that the Committee can consider them when it reviews a corresponding listing or updates a narrative summary of reasons for listing;

16. *Calls upon* all members of the Committee and the Monitoring Team to share with the Committee any information they may have available regarding a listing request from a Member State so that this information may help to inform the decision of the Committee on designation and provide additional material for the narrative summary of reasons for listing described in paragraph 14 above;

17. *Directs* the Committee to amend its guidelines to extend the period of time for members of the Committee to verify that names proposed for listing merit inclusion in the Consolidated List and include adequate identifying information to ensure full implementation of the measures, with exceptions, at the discretion of the Chair of the Committee, for emergency and time-sensitive listings, and notes that listing requests may be placed on the agenda of the Committee upon request of a member of the Committee;

18. *Decides* that the Secretariat shall, after publication but within three working days after a name is added to the Consolidated List, notify the permanent mission of the country or countries where the individual or entity is believed to be located and, in the case of individuals, the country of which the person is a national (to the extent this information is known), in accordance with paragraph 10 of resolution 1735 (2006), and requests the Secretariat to publish on the Committee website all relevant publicly releasable information, including the narrative summary of reasons for listing, immediately after a name is added to the Consolidated List;

19. *Reaffirms* the provisions in paragraph 17 of resolution 1822 (2008) regarding the requirement that Member States take all possible measures, in accordance with their domestic laws and practices, to notify or inform in a timely manner the listed individual or entity of the designation and to include with this notification the narrative summary of reasons for listing, a description of the effects of designation, as provided in the relevant resolutions, the procedures of the Committee for considering de-listing requests, including the possibility of submitting such a request to the Ombudsperson in accordance with paragraphs 20 and 21 below and annex II to the present resolution, and the provisions of resolution 1452 (2002) regarding available exemptions;

De-listing Ombudsperson

20. *Decides* that, when considering de-listing requests, the Committee shall be assisted by an Office of the Ombudsperson, to be established for an initial period of eighteen months from the date of adoption of the present resolution, and requests the Secretary-General, in close consultation with the Committee, to appoint an eminent individual of high moral character, impartiality and integrity with high qualifications and experience in relevant fields, such as legal, human rights, counter-terrorism and sanctions, to be the Ombudsperson, with the mandate outlined in annex II to the present resolution, and further decides that the Ombudsperson shall perform these tasks in an independent and impartial manner and shall neither seek nor receive instructions from any Government;

21. *Decides also* that, after the appointment of the Ombudsperson, the Office of the Ombudsperson shall receive requests from individuals and entities seeking to be removed from the Consolidated List, in accordance with the procedures outlined in annex II to the present resolution, and that, after the appointment of the Ombudsperson, the Focal Point mechanism

established in resolution 1730 (2006) shall no longer receive such requests, and notes that the Focal Point shall continue to receive requests from individuals and entities seeking to be removed from other sanctions lists;

22. *Directs* the Committee to continue to work, in accordance with its guidelines, to consider de-listing requests of Member States for the removal from the Consolidated List of members and/or associates of Al-Qaida, Osama bin Laden or the Taliban who no longer meet the criteria established in the relevant resolutions, which shall be placed on the agenda of the Committee upon request of a member of the Committee;

23. *Encourages* States to submit de-listing requests for individuals that are officially confirmed to be dead, particularly where no assets are identified, and for entities that have ceased to exist, while at the same time taking all reasonable measures to ensure that the assets that had belonged to these individuals or entities have not been or will not be transferred or distributed to other entities or individuals on the Consolidated List;

24. *Encourages* Member States, when unfreezing the assets of a deceased individual or defunct entity as a result of a de-listing, to recall the obligations set forth in resolution 1373 (2001) and, in particular, to prevent unfrozen assets from being used for terrorist purposes;

25. *Encourages* the Committee to give due consideration to the opinions of the designating State(s) and State(s) of residence, nationality or incorporation when considering de-listing requests, and calls upon members of the Committee to make every effort to provide their reasons for objecting to such de-listing requests;

26. *Requests* the Monitoring Team, upon conclusion of the review pursuant to paragraph 25 of resolution 1822 (2008), to circulate to the Committee every six months a list of individuals on the Consolidated List who are reportedly deceased, along with an assessment of relevant information, such as the certification of death, and to the extent possible, the status and location of frozen assets and the names of any individuals or entities who would be in a position to receive any unfrozen assets, directs the Committee to review these listings to decide whether they remain appropriate, and encourages the Committee to remove listings of deceased individuals where credible information regarding death is available;

27. *Decides* that the Secretariat shall, within three working days after a name is removed from the Consolidated List, notify the permanent mission of the country or countries where the individual or entity is believed to be located and, in the case of individuals, the country of which the person is a national (to the extent this information is known), and demands that States receiving such notification take measures, in accordance with their domestic laws and practices, to notify or inform the concerned individual or entity of the de-listing in a timely manner;

Review and maintenance of the Consolidated List

28. *Encourages* all Member States, in particular designating States and States of residence or nationality, to submit to the Committee additional identifying and other information, along with supporting documentation, on listed individuals, groups, undertakings and entities, including updates on the operating status of listed entities, groups and undertakings, the movement, incarceration or death of listed individuals and other significant events, as such information becomes available;

29. *Welcomes* the significant progress made by the Committee in its review of all names on the Consolidated List pursuant to paragraph 25 of resolution 1822 (2008), directs the Committee to complete this review by 30 June 2010, and requests that all States concerned respond to requests from the Committee for information relevant to this review no later than 1 March 2010;

30. *Requests* the Monitoring Team to submit a report to the Committee by 30 July 2010 on the outcome of the review described in paragraph 25 of resolution 1822 (2008) and the efforts made by the Committee, Member States and the Monitoring Team to conduct the review;

31. *Also requests* the Monitoring Team, upon conclusion of the review described in paragraph 25 of resolution 1822 (2008), to circulate to the Committee annually a list of individuals and entities on the Consolidated List whose entries lack identifiers necessary to ensure effective implementation of the measures imposed upon them, and directs the Committee to review these listings to decide whether they remain appropriate;

32. *Further directs* the Committee, upon completion of the review described in paragraph 25 of resolution 1822 (2008), to conduct an annual review of all names on the Consolidated List that have not been reviewed in three or more years, in which the relevant names are circulated to the designating States and States of residence and/or citizenship, where known, pursuant to the procedures set forth in the Committee guidelines, in order to ensure that the Consolidated List is as updated and accurate as possible and to confirm that listing remains appropriate, and notes that the consideration by the Committee of a de-listing request after the date of adoption of the present resolution, pursuant to the procedures set out in annex II to the present resolution, should be considered equivalent to a review of that listing;

Measures implementation

33. *Reiterates* the importance of all States identifying, and if necessary introducing, adequate procedures to implement fully all aspects of the measures described in paragraph 1 above;

34. *Encourages* the Committee to continue to ensure that fair and clear procedures exist for placing individuals and entities on the Consolidated List and for removing them, as well as for granting humanitarian exemptions, and directs the Committee to keep its guidelines under active review in support of these objectives;

35. *Directs* the Committee, as a matter of priority, to review its guidelines with respect to the provisions of the present resolution, in particular paragraphs 7, 13, 14, 17, 18, 22, 23, 34 and 41;

36. *Encourages* Member States and relevant international organizations to send representatives to meet with the Committee for more in-depth discussion of relevant issues, and welcomes voluntary briefings by interested Member States on their efforts to implement the measures referred to in paragraph 1 above, including particular challenges that hinder full implementation of the measures;

37. *Requests* the Committee to report to the Council on its findings regarding implementation efforts by Member States, and to identify and recommend steps necessary to improve implementation;

38. *Directs* the Committee to identify possible cases of non-compliance with the measures pursuant to paragraph 1 above and to determine the appropriate course of action on each case, and requests the Chair of the Committee, in periodic reports to the Council pursuant to paragraph 46 below, to provide progress reports on the work of the Committee on this issue;

39. *Urges* all Member States, in their implementation of the measures set out in paragraph 1 above, to ensure that fraudulent, counterfeit, stolen and lost passports and other travel documents are invalidated and removed from circulation, in accordance with domestic laws and practices, as soon as possible, and to share information on those documents with other Member States through the INTERPOL database;

40. *Encourages* Member States to share with the private sector, in accordance with their domestic laws and practices, information in their national databases related to fraudulent, counterfeit, stolen and lost identity or travel documents pertaining to their own jurisdictions and, if a listed party is found to be using a false identity, including to secure credit or fraudulent travel documents, to provide the Committee with information in this regard;

41. *Directs* the Committee to amend its guidelines to ensure that no matter is left pending before the Committee for a period longer than six months, unless the Committee determines on a

case-by-case basis that extraordinary circumstances require additional time for consideration, and further directs any member of the Committee that has requested more time to consider a proposal to provide updates after three months of progress in resolving all pending matters;

42. *Also directs* the Committee to conduct a comprehensive review of all issues pending before the Committee as of the date of adoption of the present resolution, and further *urges* the Committee and its members to resolve all such pending issues, to the extent possible, by 31 December 2010;

Coordination and outreach

43. *Reiterates* the need to enhance ongoing cooperation between the Security Council Committee established pursuant to resolution 1267 (1999), the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (the Counter-Terrorism Committee) and the Security Council Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including through, as appropriate, enhanced information-sharing, and coordination on visits to countries within their respective mandates, on facilitating and monitoring technical assistance, on relations with international and regional organizations and agencies and on other issues of relevance to all three Committees, expresses its intention to provide guidance to the Committees on areas of common interest in order better to coordinate their efforts and facilitate such cooperation, and requests the Secretary-General to make the necessary arrangements for the groups of experts to be co-located as soon as possible;

44. *Encourages* the Monitoring Team and the United Nations Office on Drugs and Crime to continue their joint activities, in cooperation with the Counter-Terrorism Committee Executive Directorate and the experts of the Committee established pursuant to resolution 1540 (2004), to assist Member States in their efforts to comply with their obligations under the relevant resolutions, including by organizing regional and subregional workshops;

45. *Requests* the Committee established pursuant to resolution 1267 (1999) to consider, where and when appropriate, visits to selected countries by the Chair and/or members of the Committee to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to comply fully with the present resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), 1455 (2003), 1526 (2004), 1617 (2005), 1735 (2006) and 1822 (2008);

46. *Also requests* the Committee to report orally, through its Chair, at least every one hundred and eighty days to the Council on the state of the overall work of the Committee and the Monitoring Team and, as appropriate, in conjunction with the reports of the Chairs of the Counter-Terrorism Committee and the Committee established pursuant to resolution 1540 (2004), including briefings for all interested Member States;

Monitoring Team

47. *Decides*, in order to assist the Committee established pursuant to resolution 1267 (1999) in fulfilling its mandate, as well as to support the Ombudsperson, to extend the mandate of the current New York-based Monitoring Team, established pursuant to paragraph 7 of resolution 1526 (2004), for a further period of eighteen months, under the direction of the Committee, with the responsibilities outlined in annex I to the present resolution, and requests the Secretary-General to make the necessary arrangements to this effect;

Reviews

48. *Decides also* to review the measures described in paragraph 1 above with a view to their possible further strengthening in eighteen months, or sooner if necessary;

49. *Decides further* to remain actively seized of the matter.

Adopted unanimously at the 6247th meeting.

Annex I

In accordance with paragraph 47 of this resolution, the Monitoring Team shall operate under the direction of the Security Council Committee established pursuant to resolution 1267 (1999) and shall have the following responsibilities:

(*a*) To submit, in writing, two comprehensive, independent reports to the Committee, the first by 30 July 2010, in accordance with paragraph 30 above, and the second by 22 February 2011, on implementation by Member States of the measures referred to in paragraph 1 of this resolution, including specific recommendations for improved implementation of the measures and possible new measures;

(*b*) To assist the Ombudsperson in carrying out his or her mandate as specified in annex II of this resolution;

(*c*) To assist the Committee in regularly reviewing names on the Consolidated List, including by undertaking travel and contact with Member States, with a view to developing the Committee's record of the facts and circumstances relating to a listing;

(*d*) To analyse reports submitted pursuant to paragraph 6 of resolution 1455 (2003), the checklists submitted pursuant to paragraph 10 of resolution 1617 (2005) and other information submitted by Member States to the Committee, as instructed by the Committee;

(*e*) To assist the Committee in following up on requests to Member States for information, including with respect to implementation of the measures referred to in paragraph 1 of this resolution;

(*f*) To submit a comprehensive programme of work to the Committee for its review and approval, as necessary, in which the Monitoring Team should detail the activities envisaged in order to fulfil its responsibilities, including proposed travel, based on close coordination with the Counter-Terrorism Committee Executive Directorate and the group of experts of the Committee established pursuant to resolution 1540 (2004) to avoid duplication and reinforce synergies;

(*g*) To work closely and share information with the Counter-Terrorism Committee Executive Directorate and the group of experts of the Committee established pursuant to resolution 1540 (2004) to identify areas of convergence and overlap and to help to facilitate concrete coordination, including in the area of reporting, among the three Committees;

(*h*) To participate actively in and support all relevant activities under the United Nations Global Counter-Terrorism Strategy,[illegible] including within the Counter-Terrorism Implementation Task Force established to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system, in particular through its relevant working groups;

(*i*) To assist the Committee established pursuant to resolution 1267 (1999) with its analysis of non-compliance with the measures referred to in paragraph 1 of this resolution by collating information collected from Member States and submitting case studies, both on its own initiative and upon the Committee's request, to the Committee for its review;

(*j*) To present to the Committee recommendations which could be used by Member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the Consolidated List;

(*k*) To assist the Committee in its consideration of proposals for listing, including by compiling and circulating to the Committee information relevant to the proposed listing, and preparing a draft narrative summary, referred to in paragraph 14 of this resolution;

(*l*) To bring to the attention of the Committee new or noteworthy circumstances that may warrant a de-listing, such as publicly reported information on a deceased individual;

(*m*) To consult with Member States in advance of travel to selected Member States, based on its programme of work as approved by the Committee;

(*n*) To coordinate and cooperate with the national counter-terrorism focal point or similar coordinating body in the country of the visit, where appropriate;

(*o*) To encourage Member States to submit names and additional identifying information for inclusion in the Consolidated List, as instructed by the Committee;

(*p*) To present to the Committee additional identifying and other information to assist the Committee in its efforts to keep the Consolidated List as updated and accurate as possible;

(*q*) To study and report to the Committee on the changing nature of the threat of Al-Qaida and the Taliban and the best measures to confront it, including by developing a dialogue with relevant scholars and academic bodies, in consultation with the Committee;

(*r*) To collate, assess, monitor and report on and make recommendations regarding implementation of the measures, including implementation of the measure in paragraph 1 (*a*) of this resolution as it pertains to preventing the criminal misuse of the Internet by Al-Qaida, Osama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee;

(*s*) To consult with Member States and other relevant organizations, including through regular dialogue with representatives in New York and in capitals, taking into account their comments, especially regarding any issues that might be contained in the reports of the Monitoring Team referred to in paragraph (*a*) of this annex;

(*t*) To consult with Member States' intelligence and security services, including through regional forums, in order to facilitate the sharing of information and to strengthen enforcement of the measures;

(*u*) To consult with relevant representatives of the private sector, including financial institutions, to learn about the practical implementation of the assets freeze and to develop recommendations for the strengthening of that measure;

(*v*) To work with relevant international and regional organizations in order to promote awareness of, and compliance with, the measures;

(*w*) To work with INTERPOL and Member States to obtain photographs of listed individuals for possible inclusion in INTERPOL Special Notices;

(*x*) To assist other subsidiary bodies of the Security Council, and their expert panels, upon request, with enhancing their cooperation with INTERPOL, referred to in resolution 1699 (2006);

(*y*) To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities;

(*z*) Any other responsibility identified by the Committee.

Annex II

In accordance with paragraph 20 of this resolution, the Office of the Ombudsperson shall be authorized to carry out the following tasks upon receipt of a de-listing request submitted by, or on behalf of, an individual, group, undertaking or entity on the Consolidated List ("the petitioner"):

Information-gathering (two months)

1. Upon receipt of a de-listing request, the Ombudsperson shall:

(*a*) Acknowledge to the petitioner the receipt of the de-listing request;

(*b*) Inform the petitioner of the general procedure for processing de-listing requests;

(*c*) Answer specific questions from the petitioner about Committee procedures;

(*d*) Inform the petitioner in case the petition fails to properly address the original designation criteria, as set forth in paragraph 2 of this resolution, and return it to the petitioner for his or her consideration; and

(*e*) Verify if the request is a new request or a repeated request and, if it is a repeated request to the Ombudsperson and it does not contain any additional information, return it to the petitioner for his or her consideration.

2. For de-listing petitions not returned to the petitioner, the Ombudsperson shall immediately forward the de-listing request to the members of the Committee, designating State(s), State(s) of residence and nationality or incorporation, relevant United Nations bodies and any other States deemed relevant by the Ombudsperson. The Ombudsperson shall ask these States or relevant United Nations bodies to provide, within two months, any appropriate additional information relevant to the de-listing request. The Ombudsperson may engage in dialogue with these States to determine:

(*a*) The opinions of these States on whether the de-listing request should be granted; and

(*b*) Information, questions or requests for clarifications that these States would like to be communicated to the petitioner regarding the de-listing request, including any information or steps that might be taken by a petitioner to clarify the de-listing request.

3. The Ombudsperson shall also immediately forward the de-listing request to the Monitoring Team, which shall provide to the Ombudsperson, within two months:

(*a*) All information available to the Monitoring Team that is relevant to the de-listing request, including court decisions and proceedings, news reports and information that States or relevant international organizations have previously shared with the Committee or the Monitoring Team;

(*b*) Fact-based assessments of the information provided by the petitioner that is relevant to the de-listing request; and

(*c*) Questions or requests for clarifications that the Monitoring Team would like asked of the petitioner regarding the de-listing request.

4. At the end of this two-month period of information-gathering, the Ombudsperson shall present a written update to the Committee on progress to date, including details regarding which States have supplied information. The Ombudsperson may extend this period once for up to two months if he or she assesses that more time is required for information-gathering, giving due consideration to requests by Member States for additional time to provide information.

Dialogue (two months)

5. Upon completion of the information-gathering period, the Ombudsperson shall facilitate a two-month period of engagement, which may include dialogue with the petitioner. Giving due consideration to requests for additional time, the Ombudsperson may extend this period once for up to two months if he or she assesses that more time is required for engagement and the drafting of the comprehensive report described in paragraph 7 below.

6. During this period of engagement, the Ombudsperson:

(*a*) May ask the petitioner questions or request additional information or clarifications that may help the Committee's consideration of the request, including any questions or information requests received from relevant States, the Committee and the Monitoring Team;

(*b*) Shall forward replies from the petitioner back to relevant States, the Committee and the Monitoring Team and follow up with the petitioner in connection with incomplete responses by the petitioner; and

(*c*) Shall coordinate with States, the Committee and the Monitoring Team regarding any further inquiries of, or response to, the petitioner.

7. Upon completion of the period of engagement described above, the Ombudsperson, with the help of the Monitoring Team, shall draft and circulate to the Committee a comprehensive report that will exclusively:

(*a*) Summarize and, as appropriate, specify the sources of, all information available to the Ombudsperson that is relevant to the de-listing request. The report shall respect confidential elements of Member States' communications with the Ombudsperson;

(*b*) Describe the activities of the Ombudsperson with respect to this de-listing request, including dialogue with the petitioner; and

(*c*) Based on an analysis of all the information available to the Ombudsperson and the observations of the Ombudsperson, lay out for the Committee the principal arguments concerning the de-listing request.

Committee discussion and decision (two months)

8. After the Committee has had thirty days to review the comprehensive report, the Chair of the Committee shall place the de-listing request on the agenda of the Committee for consideration.

9. When the Committee considers the de-listing request, the Ombudsperson, aided by the Monitoring Team, as appropriate, shall present the comprehensive report in person and answer Committee members' questions regarding the request.

10. After the Committee's consideration, the Committee shall decide whether to approve the de-listing request through its normal decision-making procedures.

11. If the Committee decides to grant the de-listing request, then the Committee shall inform the Ombudsperson of this decision. The Ombudsperson shall then inform the petitioner of this decision and the listing shall be removed from the Consolidated List.

12. If the Committee decides to reject the de-listing request, then the Committee shall convey to the Ombudsperson its decision, including, as appropriate, explanatory comments, any further relevant information about the decision of the Committee, and an updated narrative summary of reasons for listing.

13. After the Committee has informed the Ombudsperson that the Committee has rejected a de-listing request, then the Ombudsperson shall send to the petitioner, with an advance copy sent to the Committee, within fifteen days, a letter that:

(*a*) Communicates the decision of the Committee for continued listing;

(*b*) Describes, to the extent possible and drawing upon the comprehensive report of the Ombudsperson, the process and the publicly releasable factual information gathered by the Ombudsperson; and

(*c*) Forwards from the Committee all information about the decision provided to the Ombudsperson pursuant to paragraph 12 above.

14. In all communications with the petitioner, the Ombudsperson shall respect the confidentiality of Committee deliberations and confidential communications between the Ombudsperson and Member States.

Other tasks of the Office of the Ombudsperson

15. In addition to the tasks specified above, the Ombudsperson shall:

(*a*) Distribute publicly releasable information about Committee procedures, including Committee guidelines, fact sheets and other documents prepared by the Committee, to anyone who requests such information;

(*b*) Where their address is known, notify individuals or entities about the status of their listing, after the Secretariat has officially notified the permanent mission of the State or States, pursuant to paragraph 18 of this resolution; and

(*c*) Submit biannual reports summarizing the activities of the Ombudsperson to the Security Council.

BRIEFINGS BY CHAIRMEN OF SUBSIDIARY BODIES OF THE SECURITY COUNCIL[264]

Decisions

At its 6217th meeting, on 13 November 2009, the Security Council decided to invite the representatives of Australia, Brazil, Colombia, Cuba, India, Iran (Islamic Republic of), Liechtenstein, the Netherlands, New Zealand, Spain, Sweden, Switzerland, the Syrian Arab Republic and Venezuela (Bolivarian Republic of) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "Briefings by Chairmen of subsidiary bodies of the Security Council".

At its 6238th meeting, on 14 December 2009, the Council considered the item discussed at the 6217th meeting.

At its 6310th meeting, on 11 May 2010, the Council decided to invite the representatives of Argentina, Colombia, Cuba, India, Iran (Islamic Republic of), Israel, Morocco, New Zealand, Norway, the Syrian Arab Republic, Tunisia and Venezuela (Bolivarian Republic of) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "Briefings by Chairmen of subsidiary bodies of the Security Council".

At the same meeting, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Pedro Serrano, Acting Head of the Delegation of the European Union to the United Nations, in response to his request dated 5 May 2010.

THE SITUATION IN CÔTE D'IVOIRE[264]

Decisions

At its 6193rd meeting, on 29 September 2009, the Security Council considered the item entitled "The situation in Côte d'Ivoire".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[265]

> "The Security Council reiterates its full support for the Ouagadougou political process and the electoral timeline endorsed by all the main Ivorian political actors, leading to the first round of open, free, fair and transparent presidential elections on 29 November 2009. It commends the Facilitator, President Blaise Compaoré of Burkina Faso, for his continued efforts to support the peace process in Côte d'Ivoire.

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[264] Resolutions or decisions on this question were first adopted by the Security Council in 2002.

[265] S/PRST/2009/25.

"The Council further reiterates its determination to bring its full support to a credible electoral process and highlights the importance of an inclusive participation of Ivorian civil society. It stresses that, to this end, it has extended the mandate and has maintained the troop level of the United Nations Operation in Côte d'Ivoire in its resolution 1880 (2009). It further stresses that it expressed in that resolution its intention to authorize the Secretary-General to redeploy troops, as may be needed, between the United Nations Mission in Liberia and the United Nations Operation in Côte d'Ivoire.

"The Council expresses its concern at the delay in the publication of the provisional voters list, and highlights that further delays in the publication of the voters list may put at risk the timeline for open, free, fair and transparent presidential elections.

"The Council reiterates that the Ivorian political actors are bound to respect the electoral timeline. It urges all Ivorian actors to comply fully with their commitments, in order for the voters list to be published as soon as possible within the framework of a transparent and inclusive process. It recalls that the Special Representative of the Secretary-General for Côte d'Ivoire shall certify the voters list explicitly.

"The Council will review the situation by 15 October 2009. It expresses its intention to react as appropriate, consistent with resolution 1880 (2009), towards those who would block the progress of the electoral process.

"The Council further expresses its intention to start considering the future direction of the United Nations Operation in Côte d'Ivoire by reviewing its mandate and benchmarks for a possible drawdown of the operation by 15 October 2009, in particular in the light of the progress of the electoral process."

At its 6209th meeting, on 29 October 2009, the Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

"Letter dated 7 October 2009 from the Chairman of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire addressed to the President of the Security Council (S/2009/521)"

Resolution 1893 (2009)
of 29 October 2009

The Security Council,

Recalling its previous resolutions and the statements by its President relating to the situation in Côte d'Ivoire, in particular resolutions 1842 (2008) of 29 October 2008 and 1880 (2009) of 30 July 2009,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Taking note of the report of the Secretary-General of 29 September 2009[266] and of the reports of the Group of Experts on Côte d'Ivoire transmitted on 8 April[267] and 7 October 2009,[268]

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[266] S/2009/495.

[267] See S/2009/188.

[268] See S/2009/521.

Emphasizing the continued contribution to Côte d'Ivoire's stability, in particular in the context of the planned presidential elections, of the measures imposed by resolutions 1572 (2004) of 15 November 2004 and 1643 (2005) of 15 December 2005,

Noting again with concern, in spite of the sustained improvement in the overall human rights situation, the persistence of reported human rights and humanitarian law violations against civilians in different parts of the country, including numerous acts of sexual violence, stressing that the perpetrators must be brought to justice, reiterating its firm condemnation of all violations of human rights and international humanitarian law in Côte d'Ivoire, and recalling its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009 and 1889 (2009) of 5 October 2009 on women and peace and security, its resolutions 1612 (2005) of 26 July 2005 and 1882 (2009) of 4 August 2009 on children and armed conflict and its resolution 1674 (2006) of 28 April 2006 on the protection of civilians in armed conflict,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to renew until 31 October 2010 the measures on arms and the financial and travel measures imposed by paragraphs 7 to 12 of resolution 1572 (2004) and the measures preventing the importation by any State of all rough diamonds from Côte d'Ivoire imposed by paragraph 6 of resolution 1643 (2005);

2. *Decides also* to review the measures renewed in paragraph 1 above in the light of the progress achieved in the electoral process and in the implementation of the key steps of the peace process, as referred to in resolution 1880 (2009), by the end of the period mentioned in paragraph 1 above, and decides further to carry out during the period mentioned in paragraph 1 above:

(*a*) A review of the measures renewed in paragraph 1 above no later than three months after the holding of open, free, fair and transparent presidential elections in accordance with international standards, with a view to possibly modifying the sanctions regime; or

(*b*) A midterm review no later than 30 April 2010 if no review has been scheduled on the basis of paragraph 2 (*a*) of the present resolution at that date;

3. *Calls upon* the Ivorian parties to the Ouagadougou Political Agreement[269] and all States, in particular those in the subregion, to fully implement the measures renewed in paragraph 1 above, including, as appropriate, by making the necessary rules and regulations, calls upon the United Nations Operation in Côte d'Ivoire to bring its full support, in particular, to the implementation of the measures on arms renewed in paragraph 1 above, within its capacities and its mandate, as determined in resolution 1739 (2007) of 10 January 2007 and renewed in resolution 1880 (2009), and calls upon the French forces to support the United Nations Operation in Côte d'Ivoire in this regard, within the limits of their deployment and their capabilities;

4. *Again reiterates its demand*, in particular, that the Ivorian authorities take the necessary measures to put an immediate end to any violation of measures imposed by paragraph 11 of resolution 1572 (2004), including those violations mentioned by the Group of Experts on Côte d'Ivoire in its reports of 21 September 2007,[270] 8 October 2008[271] and 7 October 2009;[268]

5. *Demands* that the Ivorian parties to the Ouagadougou Political Agreement, in particular the Ivorian authorities, provide unhindered access, particularly to the Group of Experts first established pursuant to paragraph 7 of resolution 1584 (2005) of 1 February 2005, to

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[269] S/2007/144, annex.

[270] See S/2007/611, annex.

[271] See S/2008/598, annex.

equipment, sites and installations referred to in paragraph 2 (*a*) of resolution 1584 (2005) and to all weapons, ammunition and related materiel, regardless of location, when appropriate without notice and including those under the control of Republican Guard units, and demands further that they provide access under the same conditions to the United Nations Operation in Côte d'Ivoire in order to enable it to carry out its mandate, and to the French forces supporting it, as set out in resolutions 1739 (2007) and 1880 (2009);

6. *Reiterates* that any threat to the electoral process in Côte d'Ivoire, in particular any attack on or obstruction of the action of the Independent Electoral Commission in charge of the organization of the elections or the action of the operators mentioned in paragraphs 1.3.3 and 2.1.1 of the Ouagadougou Political Agreement shall constitute a threat to the peace and national reconciliation process for the purposes of paragraphs 9 and 11 of resolution 1572 (2004);

7. *Reiterates also* that any serious obstacle to the freedom of movement of the United Nations Operation in Côte d'Ivoire or the French forces supporting it, or any attack or obstruction of the action of the United Nations Operation in Côte d'Ivoire, the French forces, the Special Representative of the Secretary-General for Côte d'Ivoire, the Facilitator mentioned in paragraph 23 of resolution 1880 (2009) or his Special Representative in Côte d'Ivoire shall constitute a threat to the peace and national reconciliation process for the purposes of paragraphs 9 and 11 of resolution 1572 (2004);

8. *Requests* the Secretary-General and the Government of France to report to the Security Council immediately, through the Security Council Committee established pursuant to resolution 1572 (2004), any serious obstacle to the freedom of movement of the United Nations Operation in Côte d'Ivoire or the French forces supporting it, including the names of those responsible, and requests the Secretary-General and the Facilitator to report to the Council immediately, through the Committee, any attack or obstruction of their action or the action of the Special Representatives mentioned in paragraph 7 above;

9. *Requests* all States concerned, in particular those in the subregion, to cooperate fully with the Committee, and authorizes the Committee to request whatever further information it may consider necessary;

10. *Decides* to extend the mandate of the Group of Experts as set out in paragraph 7 of resolution 1727 (2006) of 15 December 2006 until 31 October 2010, and requests the Secretary-General to take the necessary administrative measures;

11. *Decides also* that the report referred to in paragraph 7 (*e*) of resolution 1727 (2006) may include, as appropriate, any information and recommendations relevant to the possible additional designation by the Committee of the individuals and entities described in paragraphs 9 and 11 of resolution 1572 (2004);

12. *Requests* the Group of Experts to provide a midterm report to the Committee by 15 April 2010 and to submit a final written report to the Council, through the Committee, fifteen days before the end of its mandated period, on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005), as well as recommendations in this regard, and also requests the Group of Experts to include in its report specific information on persons who deny it access to weapons, ammunition and related materiel;

13. *Requests* the Secretary-General to communicate, as appropriate, to the Council, through the Committee, information gathered by the United Nations Operation in Côte d'Ivoire and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire;

14. *Requests* the Government of France to communicate, as appropriate, to the Council, through the Committee, information gathered by the French forces and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire;

15. *Requests* the Kimberley Process to communicate, as appropriate, to the Council, through the Committee, information which, where possible, has been reviewed by the Group of Experts, concerning the production and illicit export of diamonds from Côte d'Ivoire;

16. *Decides* that the measures imposed by paragraph 6 of resolution 1643 (2005) shall not apply to an import that will be used solely for the purposes of scientific research and analysis to facilitate the development of specific technical information concerning Ivorian diamond production, provided that the research is coordinated by the Kimberley Process and approved on a case-by-case basis by the Committee;

17. *Decides also* that a request made in accordance with paragraph 16 above shall be submitted to the Committee jointly by the Kimberley Process and the importing Member State, and decides further that, where the Committee has approved an exemption pursuant to this paragraph, the importing Member State shall notify the Committee of the results of the study and share the results, without delay, with the Group of Experts to assist it in its investigations;

18. *Urges* all States, relevant United Nations bodies and other organizations and interested parties, including the Kimberley Process, to cooperate fully with the Committee, the Group of Experts, the United Nations Operation in Côte d'Ivoire and the French forces, in particular by supplying any information at their disposal on possible violations of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005) and reiterated in paragraph 1 above;

19. *Urges*, in this context, that all Ivorian parties and all States, particularly those in the region, ensure:

The safety of the members of the Group of Experts;

Unhindered access by the Group of Experts, in particular to persons, documents and sites, in order for the Group of Experts to execute its mandate;

20. *Underlines* that it is fully prepared to impose targeted measures against persons to be designated by the Committee who are determined to be, among other things:

(*a*) A threat to the peace and national reconciliation process in Côte d'Ivoire, in particular by blocking the implementation of the peace process as referred to in the Ouagadougou Political Agreement;

(*b*) Attacking or obstructing the action of the United Nations Operation in Côte d'Ivoire, the French forces supporting it, the Special Representative of the Secretary-General, the Facilitator, or his Special Representative in Côte d'Ivoire;

(*c*) Responsible for obstacles to the freedom of movement of the United Nations Operation in Côte d'Ivoire and the French forces supporting it;

(*d*) Responsible for serious violations of human rights and international humanitarian law committed in Côte d'Ivoire;

(*e*) Publicly inciting hatred and violence;

(*f*) Acting in violation of the measures imposed by paragraph 7 of resolution 1572 (2004);

21. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6209th meeting.

Decisions

At its 6234th meeting, on 8 December 2009, the Security Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Côte d'Ivoire".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[272]

"The Security Council notes with concern the postponement of the first round of the presidential elections, scheduled for 29 November 2009 in the communiqué of 18 May 2009 of the Permanent Consultative Framework of the Ouagadougou Political Agreement,[273] which was endorsed by all the main Ivorian political actors.

"The Council welcomes the positive steps taken by the Ivorian actors, in particular the publication of the provisional voters list and the list of candidates. It further welcomes the communiqué of 3 December 2009 of the Permanent Consultative Framework.[274] It commends the Facilitator, President Blaise Compaoré of Burkina Faso, for his continued efforts to support the peace process in Côte d'Ivoire.

"The Council notes that the Permanent Consultative Framework considered, on the basis of a presentation by the Independent Electoral Commission, that the postponement of the elections was due to technical and financial constraints and that the first round of the presidential elections would be organized by the end of February or the beginning of March 2010. It urges the Ivorian actors to address the remaining tasks and to hold open, free, fair and transparent presidential elections in accordance with international standards at the earliest possible date.

"The Council notes again that the publication of a final voters list certified by the Special Representative of the Secretary-General for Côte d'Ivoire is crucial for the holding of open, free, fair and transparent presidential elections. It urges the Ivorian stakeholders to meet their commitments to support the elections and to facilitate this process without delay, in particular during the 38-day phase during which the provisional list can be challenged before local independent electoral commissions and courts. It again urges the Ivorian authorities to allow equitable access to public media, consistent with the Code of Good Conduct for Elections. It reiterates its intention to react as appropriate, consistent with its resolution 1880 (2009), towards those who would block the progress of the electoral process.

"The Council welcomes the signing by President Laurent Gbagbo on 17 November 2009 of several military rules and regulations, including seven decrees. It urges the Ivorian parties to make further concrete progress, before and after the elections, to advance the reunification and disarmament processes.

"The Council recalls that it will review the mandate and the troop level of the United Nations Operation in Côte d'Ivoire by 31 January 2010. It reiterates its determination to bring its full support to a credible electoral process in Côte d'Ivoire. The Council requests the Secretary-General to provide to it, in the report referred to in resolution 1880 (2009), options for the future direction of the United Nations Operation in Côte d'Ivoire, in particular in the light of the publication of the final voters list and of a credible electoral time frame, including preliminary indications on timing, benchmarks and modalities for a possible drawdown of the Operation."

On 10 December 2009, the President of the Security Council addressed the following letter to the Secretary-General:[275]

"I have the honour to inform you that your letter dated 8 December 2009 concerning your intention to designate Major General Abdul Hafiz, of Bangladesh, as the Force Commander of the United Nations Operation in Côte d'Ivoire[276] has been brought to the attention of the members of the Security Council, who have taken note thereof."

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[272] S/PRST/2009/33.

[273] S/2009/257, annex.

[274] S/2009/626, annex.

[275] S/2009/638.

On 24 December 2009, the President of the Security Council addressed the following letter to the Secretary-General:[277]

"I have the honour to inform you that your letter dated 18 December 2009 concerning your intention to extend the appointment of Major General Fernand Marcel Amoussou as the Force Commander of the United Nations Operation in Côte d'Ivoire until 31 March 2010[278] has been brought to the attention of the members of the Security Council, who have taken due note of your intention."

At its 6263rd meeting, on 21 January 2010, the Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

"Twenty-third progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2010/15)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Choi Young-Jin, Special Representative of the Secretary-General for Côte d'Ivoire and Head of the United Nations Operation in Côte d'Ivoire.

At its 6267th meeting, on 28 January 2010, the Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

"Twenty-third progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2010/15)".

Resolution 1911 (2010)
of 28 January 2010

The Security Council,

Recalling its previous resolutions, in particular resolutions 1880 (2009) of 30 July 2009 and 1893 (2009) of 29 October 2009, and the statements by its President relating to the situation in Côte d'Ivoire, and resolution 1885 (2009) of 15 September 2009 on the situation in Liberia,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Recalling that it endorsed the agreement signed by President Laurent Gbagbo and Mr. Guillaume Soro in Ouagadougou on 4 March 2007 ("the Ouagadougou Political Agreement"),[269] and that it welcomed the four subsequent supplementary agreements,

Recalling again, in particular, that in its resolution 1721 (2006) of 1 November 2006, it notably endorsed the decision of the Peace and Security Council of the African Union on the mandate of the Head of State,[279] and recalling further that in the statement by its President of 28 March 2007,[280] it endorsed the Ouagadougou Political Agreement, including chapter V thereof on the institutional framework for implementation, and that the Agreement provided for a period of ten months for the holding of the presidential elections,

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[276] S/2009/637.

[277] S/2009/673.

[278] S/2009/672.

Expressing again its appreciation to President Blaise Compaoré of Burkina Faso ("the Facilitator") for his continued efforts to support the peace process in Côte d'Ivoire, in particular through the follow-up mechanisms of the Ouagadougou Political Agreement, commending and encouraging the continued efforts of the African Union and the Economic Community of West African States to promote peace and stability in Côte d'Ivoire, and reiterating its full support for them,

Stressing the need for the Security Council to pursue a rigorous, strategic approach to peacekeeping deployments,

Reiterating its strong condemnation of any attempt to destabilize the peace process by force, and expressing its intention to examine without delay the situation after any such attempt, on the basis of a report of the Secretary-General,

Having taken note of the letters dated 29 December 2009[281] and 15 January 2010[282] from the Secretary-General to the President of the Security Council and of the proposal of the Presidents of Côte d'Ivoire and Burkina Faso to deploy some troops from Burkina Faso as part of the United Nations Operation in Côte d'Ivoire for three months,[283]

Having taken note also of the report of the Secretary-General of 7 January 2010,[284]

Noting again with concern, in spite of the sustained improvement in the overall human rights situation, the persistence of reported human rights and humanitarian law violations against civilians in different parts of the country, including numerous acts of sexual violence, stressing that the perpetrators must be brought to justice, reiterating its firm condemnation of all violations of human rights and international humanitarian law in Côte d'Ivoire, and recalling its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009 and 1889 (2009) of 5 October 2009 on women and peace and security, its resolutions 1612 (2005) of 26 July 2005 and 1882 (2009) of 4 August 2009 on children and armed conflict and its resolutions 1674 (2006) of 28 April 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

Supporting the Ouagadougou political process and a credible electoral process

1. *Recalls* that in the statement by its President of 8 December 2009,[illegible] it took note of the postponement of the first round of the presidential elections to the end of February or the beginning of March 2010;

2. *Welcomes* the progress made towards the establishment of the final voters list, including the publication of the provisional voters list certified by the Special Representative of the Secretary-General for Côte d'Ivoire;

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[279] See S/2006/829, annex.

[280] S/PRST/2007/8.

[281] S/2009/694.

[282] S/2010/42.

[283] See S/2009/694, annex.

[284] S/2010/15.

3. *Reiterates its determination* to bring its full support to a credible electoral process in Côte d'Ivoire, and reiterates further that the publication of a final voters list certified by the Special Representative of the Secretary-General is crucial for the holding of open, free, fair and transparent elections;

4. *Urges* the relevant Ivorian stakeholders to ensure the publication of the final voters list, to announce the official date of the first round of the presidential elections and to meet their commitments in full;

5. *Reiterates further* that the Special Representative of the Secretary-General shall certify that all stages of the electoral process provide all the necessary guarantees for the holding of open, free, fair and transparent presidential and legislative elections in accordance with international standards, and reaffirms its full support for the Special Representative in his certification role;

6. *Stresses* that it will base its assessment of the electoral process on the certification that will be prepared by the Special Representative of the Secretary-General consistent with the five-criteria framework referred to in the report of the Secretary-General of 15 April 2008[285] and after inclusive contacts with all stakeholders in Côte d'Ivoire, including civil society;

7. *Stresses also* the importance of an inclusive participation of Ivorian civil society in the electoral process, and of ensuring equal protection of and respect for the human rights of every Ivorian as they relate to the electoral system, in particular respect for freedom of opinion and expression, and removing obstacles and challenges to the participation and full involvement of women in public life;

8. *Again urges* the political parties to comply fully with the Code of Good Conduct for Elections which they signed under the auspices of the Secretary-General, and, in particular, urges the Ivorian authorities to allow equitable access to public media;

9. *Expresses its concern* at the delays encountered in the deployment of the mixed units of the Integrated Command Centre responsible for securing the elections, and urges the Ivorian parties to enhance their efforts in this regard;

10. *Urges* the Government of Côte d'Ivoire to provide the operators involved in the electoral process with the necessary support, and encourages the international community to continue their support to the electoral process, including, with the agreement of the Ivorian authorities, by providing electoral observation capacity and related technical assistance;

11. *Recalls* that it is fully prepared to impose targeted measures pursuant to paragraph 20 of resolution 1893 (2009), including against persons who are determined to be a threat to the peace and national reconciliation process in Côte d'Ivoire, and recalls further that, pursuant to paragraph 6 of the above-mentioned resolution, any threat to the electoral process in Côte d'Ivoire, in particular any attack on or obstruction of the action of the Independent Electoral Commission in charge of the organization of the elections or the action of the operators mentioned in paragraphs 1.3.3 and 2.1.1 of the Ouagadougou Political Agreement[269] shall constitute a threat to the peace and national reconciliation process for the purposes of paragraphs 9 and 11 of resolution 1572 (2004) of 15 November 2004;

12. *Urges* the Ivorian parties to make further concrete progress, before and after the elections, to advance the reunification and disarmament processes;

13. *Reaffirms* paragraphs 14 to 17 of resolution 1880 (2009), calls upon all Ivorian parties, with the continued support of the United Nations Operation in Côte d'Ivoire, to ensure the protection of civilians, including women and children, to fully implement the recommendations of

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[285] S/2008/250

the Security Council Working Group on Children and Armed Conflict on children and armed conflict in Côte d'Ivoire,[290] including to adopt a national action plan to address sexual violence, and to ensure that the rule of law is strengthened and that all reported abuses are investigated and those responsible brought to justice, and calls, in particular, upon all parties to take appropriate measures to refrain from, prevent and protect civilians from all forms of sexual violence;

Renewing the mandate of the United Nations Operation in Côte d'Ivoire

14. *Decides* to renew the mandate of the United Nations Operation in Côte d'Ivoire, as determined in resolution 1739 (2007) of 10 January 2007, until 31 May 2010, in particular to support the organization in Côte d'Ivoire of open, free, fair and transparent elections;

15. *Requests* the United Nations Operation in Côte d'Ivoire, within its existing resources and mandate, to continue to bring its full support to the parties in the implementation of the remaining tasks under the Ouagadougou Political Agreement and its supplementary agreements, in particular those that are essential to the holding of open, free, fair and transparent presidential elections, to provide technical and logistical support to the Independent Electoral Commission for the preparation and holding of the elections in a secure environment, to continue to support the disarmament, demobilization and reintegration programme and the disarmament and dismantling of militias and to continue to contribute to the promotion and protection of human rights, including the protection of women and children, pursuant to paragraph 26 of resolution 1880 (2009);

16. *Expresses its intention*, in principle, to raise for a limited period of time the current level of 7,450 authorized military personnel, as needed and up to no more than 7,950 personnel, when the final voters list is made public, and to this end requests the Secretary-General to keep the Council informed of his technical analysis;

17. *Stresses*, in this regard, that it will hold the Ivorian parties fully accountable for respecting the electoral timeline;

18. *Requests* the United Nations Operation in Côte d'Ivoire to continue to assist the Facilitator and his Special Representative in Abidjan in the conduct of the facilitation, including by helping the Facilitator, as appropriate and upon his request, to carry out his arbitration role according to the provisions of paragraph 8.1 of the Ouagadougou Political Agreement and paragraphs 8 and 9 of the third supplementary agreement;

19. *Requests* the Secretary-General to continue to take the measures necessary to ensure full compliance in the United Nations Operation in Côte d'Ivoire with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

20. *Decides* to extend until 31 May 2010 the authorization that it provided to the French forces in order to support the United Nations Operation in Côte d'Ivoire, within the limits of their deployment and their capabilities;

21. *Expresses its intention* to review in full by 31 May 2010, with a view to possible significant modifications, the mandate of the United Nations Operation in Côte d'Ivoire, the authorization provided to the French forces supporting it, the level of troops of the United Nations Operation in Côte d'Ivoire and the benchmarks referred to in annex I to the report of the Secretary-General of 7 January 2010,[284] in the light of the elections and the implementation of the key steps of the peace process;

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[290] S/AC.51/2008/5 and Corr.1.

22. *Requests* the Secretary-General to provide an update to the Council by mid-March 2010 and a full report by the end of April 2010, including detailed recommendations and options for the future of the United Nations Operation in Côte d'Ivoire as well as revised benchmarks based on the results of a technical assessment mission;

23. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6267th meeting.

Decisions

At its 6284th meeting, on 17 March 2010, the Security Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Côte d'Ivoire".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Choi Young-Jin, Special Representative of the Secretary-General for Côte d'Ivoire and Head of the United Nations Operation in Côte d'Ivoire.

On 29 April 2010, the President of the Security Council addressed the following letter to the Secretary-General:[287]

> "I have the honour to inform you that your letter dated 26 April 2010 concerning the mandate of the United Nations Operation in Côte d'Ivoire[288] has been brought to the attention of the members of the Security Council. In this regard, the members of the Council request you to provide a report on the United Nations Operation in Côte d'Ivoire by 21 May 2010, based on the results of a technical assessment mission."

At its 6323rd meeting, on 27 May 2010, the Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

> "Twenty-fourth report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2010/245)".

Resolution 1924 (2010)
of 27 May 2010

The Security Council,

Recalling its previous resolutions, in particular resolutions 1893 (2009) of 29 October 2009 and 1911 (2010) of 28 January 2010, and the statements by its President relating to the situation in Côte d'Ivoire, and resolution 1885 (2009) of 15 September 2009 on the situation in Liberia,

Considering the need to examine thoroughly the recommendations for a revised mandate of the United Nations Operation in Côte d'Ivoire included in the report of the Secretary-General of 20 May 2010,[289]

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

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[287] S/2010/221.

[288] S/2010/220.

[289] S/2010/245.

1. *Decides* to extend until 30 June 2010 the mandate of the United Nations Operation in Côte d'Ivoire as determined in resolution 1739 (2007) of 10 January 2007;

2. *Decides also* to extend until 30 June 2010 the authorization that the Security Council provided to the French forces in order to support the United Nations Operation in Côte d'Ivoire, within the limits of their deployment and their capabilities;

3. *Decides further* to remain actively seized of the matter.

Adopted unanimously at the 6323rd meeting.

Decisions

At its 6329th meeting, on 3 June 2010, the Security Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

> "Twenty-fourth report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2010/245)"

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Choi Young-Jin, Special Representative of the Secretary-General for Côte d'Ivoire and Head of the United Nations Operation in Côte d'Ivoire.

At its 6350th meeting, on 30 June 2010, the Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

> "Twenty-fourth report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2010/245)".

Resolution 1933 (2010)
of 30 June 2010

The Security Council,

Recalling its previous resolutions, in particular resolutions 1893 (2009) of 29 October 2009, 1911 (2010) of 28 January 2010 and 1924 (2010) of 27 May 2010, and the statements by its President relating to the situation in Côte d'Ivoire, and resolution 1885 (2009) of 15 September 2009 on the situation in Liberia,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Recalling that it endorsed the agreement signed by President Laurent Gbagbo and Mr. Guillaume Soro in Ouagadougou on 4 March 2007 ("the Ouagadougou Political Agreement"),[278] and that it welcomed the four subsequent supplementary agreements,

Recalling again that in its resolution 1721 (2006) of 1 November 2006, it notably endorsed the decision of the Peace and Security Council of the African Union on the mandate of the Head of State,[279] and recalling further that in the statement by its President of 28 March 2007,[280] it endorsed the Ouagadougou Political Agreement, including chapter V thereof on the institutional framework for implementation, and that the Agreement provided for a period of ten months for the holding of the presidential elections,

Expressing again its appreciation to President Blaise Compaoré of Burkina Faso ("the Facilitator") for his critical role and his continued efforts to support the peace process in Côte d'Ivoire, in particular through the follow-up mechanisms of the Ouagadougou Political Agreement, commending and encouraging the continued efforts of the African Union and the Economic Community of West African States to promote peace and stability in Côte d'Ivoire, and reiterating its full support for them,

Stressing the need for the Security Council to pursue a rigorous, strategic approach to peacekeeping deployments, the substantial engagement in which is more likely to lead to a sustainable peace when the parties to a conflict abide by their commitments and obligations, welcoming the intention of the Secretary-General to keep all peacekeeping operations under close review, and noting the importance of contingency planning,

Reiterating its strong condemnation of any attempt to destabilize the peace process, in particular by force, and expressing its intention to examine without delay the situation should any such attempt take place,

Having taken note of the report of the Secretary-General of 20 May 2010,[289]

Noting again with concern, in spite of the sustained efforts to improve the overall human rights situation, the persistence of reported human rights and humanitarian law violations against civilians in different parts of the country, including numerous acts of sexual violence met with impunity, stressing that the perpetrators must be brought to justice, reiterating its firm condemnation of all violations of human rights and international humanitarian law in Côte d'Ivoire, and recalling its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009 and 1889 (2009) of 5 October 2009 on women and peace and security, its resolutions 1612 (2005) of 26 July 2005 and 1882 (2009) of 4 August 2009 on children and armed conflict and its resolutions 1674 (2006) of 28 April 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

Supporting the Ouagadougou political process and a credible electoral process

1. *Recalls* that the last presidential elections in Côte d'Ivoire were held on 22 October 2000 and expresses its deep concern at the continuing delays in the electoral process and the absence of a time frame for the holding of open, free, fair and transparent elections in Côte d'Ivoire, and stresses that the events of February 2010 showed how fragile and unstable the situation remains;

2. *Urges* the relevant Ivorian stakeholders to ensure the publication of the final voters list without further delay, on the basis of the provisional list published in November 2009 and certified by the Special Representative of the Secretary-General for Côte d'Ivoire, to announce the official date of the first round of the presidential elections and to meet their commitments in full, stresses that it will hold the Ivorian parties fully accountable, and notes the joint statement issued on 2 May 2010 by the Prime Minister and the President of the Independent Electoral Commission and the work undertaken on a part of the provisional voters list;

3. *Reiterates its determination* to bring its full support to a credible electoral process in Côte d'Ivoire, and stresses that the publication of a final voters list certified by the Special Representative of the Secretary-General is crucial for the holding of open, free, fair and transparent elections as well as for the completion of the disarmament and reunification processes, as highlighted by the Secretary-General in his report of 20 May 2010;[289]

4. *Reiterates* that the Special Representative of the Secretary-General shall certify that all stages of the electoral process provide all the necessary guarantees for the holding of open, free, fair and transparent presidential and legislative elections in accordance with international standards, and reaffirms its full support to the Special Representative in his certification role;

5. *Stresses* that it will base its assessment of the electoral process on the certification that will be prepared by the Special Representative of the Secretary-General consistent with the five-criteria framework referred to in the report of the Secretary-General of 15 April 2008[285] and after inclusive contacts with all stakeholders in Côte d'Ivoire, including civil society,

6. *Reiterates* the importance of the inclusive participation of Ivorian civil society in the electoral process and of ensuring equal protection of and respect for the human rights of every Ivorian as they relate to the electoral system, in particular respect for freedom of opinion and expression, and removing obstacles and challenges to the participation and full involvement of women in public life;

7. *Again urges* the political parties to comply fully with the Code of Good Conduct for Elections which they signed under the auspices of the Secretary-General, recalls the importance for the public throughout the country to have access to pluralistic and diverse information through the media, urges all relevant Ivorian stakeholders to allow equitable and broader access to the media, and, in particular, urges the Ivorian authorities to allow equitable access to State media;

8. *Expresses its concern* at the delays encountered in deploying and operationalizing the mixed units of the Integrated Command Centre responsible for securing the elections, and urges the Ivorian parties to take concrete steps in this regard;

9. *Urges* the Government of Côte d'Ivoire to provide the operators involved in the electoral process with the necessary support, and encourages the international community to continue its support to the electoral process, including, with the agreement of the Ivorian authorities, by providing electoral observation capacity and related technical assistance;

10. *Urges* every Ivorian to refrain from any call for hatred, intolerance and violence, notes with interest that in his report of 20 May 2010 the Secretary-General encouraged the Security Council to impose targeted sanctions against media actors who fan political tension and incite violence, and reiterates that it is fully prepared to impose targeted measures pursuant to paragraphs 6 and 20 of resolution 1893 (2009), including against persons who are determined to be a threat to the peace and national reconciliation process in Côte d'Ivoire or to be publicly inciting hatred and violence;

11. *Again urges* the Ivorian parties, with the support of the United Nations Operation in Côte d'Ivoire, as applicable, to make further concrete progress, before and after the elections, to advance the reunification and disarmament processes, including by covering the expenses required for these processes as set out in the framework of the Ouagadougou Political Agreement;[269]

12. *Stresses* that the identification process is key to the long-term stability of Côte d'Ivoire, and again calls upon the Ivorian parties to continue the identification operations, including after the elections;

13. *Condemns* the persistence of reported human rights violations, in particular sexual violence, and calls upon all Ivorian parties, with the continued support of the United Nations Operation in Côte d'Ivoire, to ensure the protection of civilians, especially women, children and displaced persons, to fully implement the recommendations of the Security Council Working Group on Children and Armed Conflict on children and armed conflict in Côte d'Ivoire,[286] notably to adopt and implement a national action plan to address sexual violence, and to ensure that rule of law is strengthened and that all reported abuses are investigated and those responsible for such violations brought to justice, calls upon all parties to take appropriate measures to refrain from, prevent and protect civilians from all forms of sexual violence, and reaffirms paragraphs 14 to 17 of its resolution 1880 (2009) of 30 July 2009;

14. *Urges* the signatories to the Ouagadougou Political Agreement to work towards a sustainable solution for the voluntary return, reinstallation, reintegration and security of displaced

persons, including by addressing land tenure issues, with the support of the United Nations system, and to fulfil in this regard their commitments in accordance with the Agreement and their obligations under international law;

15. *Requests* the United Nations Operation in Côte d'Ivoire, when implementing paragraph 16 below, to prioritize the consolidation of the stability of the country, including as determined in paragraph 16 (*b*) below, and the establishment of the final voters list, which is crucial for the peace process as a whole;

Mandate of the United Nations Operation in Côte d'Ivoire

16. *Decides* that, in order to support the parties in implementing the Ouagadougou Political Agreement more effectively, the United Nations Operation in Côte d'Ivoire shall have the following mandate from the date of adoption of the present resolution until 31 December 2010:

Contributing to the consolidation of the stability of the country

(*a*) Monitoring the armed groups

To observe and monitor the implementation of the Ouagadougou Political Agreement of 4 March 2007 as far as the armed groups are concerned, to prevent, within its capabilities and its areas of deployment, any hostile action, including against civilians, and to investigate and report on any act of violence committed by the Ivorian parties to the Agreement;

To support the Integrated Command Centre through continued technical advice, training and logistical support and to participate in the patrols of the Centre's mixed units in sensitive areas;

To liaise with the National Armed Forces of Côte d'Ivoire and the military elements of the Forces nouvelles, in coordination with the French forces, in order to promote mutual trust among all the Ivorian forces involved and to ease tensions;

To assist the Government of Côte d'Ivoire in monitoring the borders, with particular attention to any cross-border movement of combatants or transfer of arms and to the situation of Liberian refugees, in close coordination with the United Nations Mission in Liberia;

To support, in coordination with the Ivorian authorities, the provision of security for members of the Government of Côte d'Ivoire and key political stakeholders, in view of the preparation and holding of the elections;

(*b*) Protection of civilians

To protect, without prejudice to the primary responsibility of the Ivorian authorities, civilians under imminent threat of physical violence, within its capabilities and its areas of deployment, including in high risk areas identified by the United Nations Operation in Côte d'Ivoire on the basis of the comprehensive protection of civilians strategy and the threat assessment referred to in the report of the Secretary-General of 20 May 2010;

To work closely with humanitarian agencies, particularly in relation to areas of tension and areas of return of displaced persons, and to exchange information on possible outbreaks of violence and other threats against civilians in order to respond thereto in a timely and appropriate manner;

(*c*) Monitoring of the arms embargo

To monitor the implementation of the measures imposed by paragraph 7 of resolution 1572 (2004) of 15 November 2004, in cooperation with the Group of Experts on Côte d'Ivoire established pursuant to resolution 1584 (2005) of 1 February 2005, including by inspecting, as they deem it necessary and when appropriate without notice, all weapons, ammunition and related materiel regardless of location, consistent with resolution 1893 (2009);

To collect, as appropriate, arms and any related materiel brought into Côte d'Ivoire in violation of the measures imposed by paragraph 7 of resolution 1572 (2004) and to dispose of such arms and related materiel as appropriate;

(*d*) Public information

To promote the peace process arising from the Ouagadougou Political Agreement throughout the territory of Côte d'Ivoire through the public information capacity of the United Nations Operation in Côte d'Ivoire, in particular its radio broadcasting capability through ONUCI FM;

To encourage the Ivorian mass media and the main political actors to fully implement the Code of Good Conduct for Elections that the Ivorian parties have signed under the auspices of the Secretary-General as well as to sign and adhere to the Code of Good Conduct for the Media;

To monitor any public incidents of incitement to hatred, intolerance and violence, to bring to the attention of the Security Council all individuals identified as instigators of political violence, and to keep the Security Council Committee established pursuant to resolution 1572 (2004) regularly informed of developments in this regard;

(*e*) Assistance in the field of human rights

– To contribute to the promotion and protection of human rights in Côte d'Ivoire, with special attention to violations committed against children and women and to all forms of sexual violence, to monitor, help to investigate and report on human rights and humanitarian law violations with a view to ending impunity, including as called for in resolutions 1612 (2005) and 1882 (2009), to support the efforts all parties should make pursuant to paragraph 13 above, to bring to the attention of the Council all individuals identified as perpetrators of serious human rights violations and to keep the Committee established pursuant to resolution 1572 (2004) regularly informed of developments in this regard;

(*f*) Support for humanitarian assistance

– To facilitate the free flow of people, goods and humanitarian assistance, inter alia, by contributing to enhancing security and taking into account the special needs of vulnerable groups, especially women, children, elderly persons, persons with disabilities and displaced persons;

Contributing to the electoral process and to the identification of the population

(*g*) Support for the organization of open, free, fair and transparent elections

– To provide, within its capabilities and its areas of deployment, technical and logistical support to the Independent Electoral Commission which is responsible for the preparation and holding of the elections, including to enable the Commission to continue the appeals process, to distribute the provisional and the final voters lists, to sensitize the media, to distribute identity cards and voters cards and to distribute and secure sensitive electoral material, notably ballot papers;

– To work with all relevant actors in implementing the agreed security plan for the elections, and, in particular, to contribute to securing the high-risk areas where voting is to take place;

– To ensure the coordination of the work of international observers and to contribute to their security, within its capabilities and areas of deployment;

To provide to the Special Representative of the Secretary-General the assistance necessary to fulfil his role of certification of the electoral process consistent with paragraph 4 above;

To monitor the implementation of the Code of Good Conduct for Elections and the efforts of the Ivorian authorities in guaranteeing equitable access to public media, in particular in the electoral context, and to keep the Committee established pursuant to resolution 1572 (2004) regularly informed of the situation;

To regularly inform the Council of any threat to the electoral process, as defined in paragraph 11 of resolution 1911 (2010), and to bring to its attention all individuals identified as responsible for such a threat;

(*h*) Operations of identification of the population

To contribute, within its capabilities and its areas of deployment, to the support provided by the United Nations country team and other relevant actors to the process of identification of the population;

Contributing to the other remaining tasks of the peace process

(*i*) Disarmament, demobilization, storage of weapons and reintegration of former combatants of the two parties and members of militias

To support the Integrated Command Centre in conducting the processes of:

- Disarmament and secure storage of weapons of former combatants of the two parties;
- Demobilization of the former combatants of the Forces nouvelles;
- Disarmament, storage of weapons and dismantling of militias;

To assist the Ivorian authorities in particular in moving forward with the implementation of planned training of the former combatants of the Forces nouvelles selected to join the ranks of the future national army who are to be cantoned in Bouaké, Korhogo, Man and Séguéla, including in the area of human rights and international humanitarian law;

To contribute to the reintegration of former combatants and members of militias and to encourage donors to continue to support initiatives in this regard;

(*j*) Support to redeployment of Ivorian State administration and justice throughout the country

To support, within its capabilities and its areas of deployment, enhancing the security conditions to enable the Government of Côte d'Ivoire and United Nations agencies to identify and implement peacebuilding priorities throughout the country;

To assist the Government of Côte d'Ivoire, in conjunction with relevant regional organizations, in re-establishing the authority of the judiciary and the rule of law throughout Côte d'Ivoire;

(*k*) Reform of the security sector

To advise the Government of Côte d'Ivoire, as appropriate, on security sector reform and the organization of the future national army, including on establishing an effective vetting mechanism, in accordance with international standards;

To contribute, as appropriate, to the development by the Ivorian authorities of the capacities of the police and gendarmerie, in particular through crowd control training, and to restoring their presence throughout Côte d'Ivoire;

Other tasks

(*l*) Facilitation

To coordinate with the Facilitator and his Special Representative in Abidjan, to assist them in the conduct of the facilitation, as needed and as appropriate and within available means, including by providing logistical support to the office of the Special Representative;

(*m*) Protection of United Nations personnel

To protect United Nations personnel, installations and equipment and to ensure the security and freedom of movement of United Nations personnel;

17. *Authorizes* the United Nations Operation in Côte d'Ivoire to use all necessary means to carry out its mandate, within its capabilities and its areas of deployment;

18. *Calls upon* all parties to cooperate fully in the operations of the United Nations Operation in Côte d'Ivoire and the French forces which supporting it, in particular by guaranteeing their safety, security and freedom of movement, with unhindered and immediate access, as well as those of associated personnel, throughout the territory of Côte d'Ivoire, to enable them to fully carry out their mandates;

19. *Decides* that the United Nations Operation in Côte d'Ivoire shall comprise a maximum of 7,392 authorized military personnel, maintaining the current combined total authorized strength at 8,650 personnel, including a maximum of 7,200 troops and staff officers and 192 military observers, and a maximum of 1,250 police personnel and 8 seconded customs officers;

20. *Expresses its intention* to consider raising for a limited period of time, prior to and after the elections, the level of authorized military and police personnel up to a total of no more than 500 additional personnel, and requests the Secretary-General in this regard to continue to update the Council on his technical analysis in a timely manner for its consideration;

21. *Welcomes* the intention expressed by the Secretary-General in paragraphs 97 and 99 of his report of 20 May 2010 to reconfigure the United Nations Operation in Côte d'Ivoire to increase its presence in the identified high-risk areas and to strengthen the capabilities of its force reserve;

22. *Requests* the Secretary-General to continue to include in his reports relevant information on progress on the promotion and protection of human rights and international humanitarian law as well as on the strengthening of the rule of law, including on ending impunity in Côte d'Ivoire, with special attention to violence committed against children and women, and on progress on gender mainstreaming throughout the United Nations Operation in Côte d'Ivoire and all other aspects relating to the situation of women and girls, especially in relation to the need to protect them from sexual and gender-based violence, and consistent with resolutions 1325 (2000), 1612 (2005), 1820 (2008), 1882 (2009), 1888 (2009) and 1889 (2009);

23. *Also requests* the Secretary-General to continue to take the measures necessary to ensure full compliance in the United Nations Operation in Côte d'Ivoire with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

24. *Decides* to extend until 31 December 2010 the authorization that the Council provided to the French forces in order to support the United Nations Operation in Côte d'Ivoire, within the limits of their deployment and their capabilities;

25. *Underscores* the importance that the military and police concepts of operations and the rules of engagement be brought fully in line with the provisions of the present

resolution, in particular paragraphs 15 to 19 above, and requests the Secretary-General to report on them to the Council and to troop- and police-contributing countries;

26. *Requests* the Secretary-General to monitor progress on the achievement of the existing benchmarks and to prepare a new set of benchmarks for a possible drawdown of the force, taking fully into account the necessary consolidation of the stability of the country;

27. *Underscores* the importance that the Ivorian security forces, in order to use only appropriate and proportionate force while maintaining public order, be equipped with appropriate crowd control equipment, consistent with the arms embargo imposed by paragraph 7 of resolution 1572 (2004) and the exemption procedure set out in paragraphs 8 (*b*) and (*e*) of resolution 1572 (2004);

28. *Requests* the Secretary-General to inform the Council of the publication of the final voters list and to provide to it a midterm report, no later than 22 October 2010, and a full report, no later than 30 November 2010, on the situation on the ground, on the implementation of the present resolution and on the revised benchmarks referred to in paragraph 26 above, which should include possible adjustments to the structure and strength of the United Nations Operation in Côte d'Ivoire, and also requests the Secretary-General to submit to the Council recommendations in this regard, as appropriate;

29. *Expresses its intention* to review the mandate, structure and strength of the United Nations Operation in Côte d'Ivoire, the authorization provided to the French forces supporting it and the benchmarks referred to in paragraph 26 above by 31 December 2010, and to consider all options, including those listed in the report of the Secretary-General of 20 May 2010, in the light of the consolidation of the stability of the situation, the implementation of the key steps of the peace process, the status of the elections and the political will demonstrated by the Ivorian parties;

30. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6350th meeting.

SECURITY COUNCIL MISSION[290]

Decisions

In letters dated 14 April and 4 May 2010, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to the Democratic Republic of the Congo.[291]

At its 6317th meeting, on 19 May 2010, the Council considered the item entitled:

"Security Council mission

> "Briefing by the Security Council mission to the Democratic Republic of the Congo (13 to 16 May 2010)"

In a letter dated 14 June 2010, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Afghanistan.[292]

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[290] Resolutions or decisions on this question were first adopted by the Security Council in 2003.

[291] The letters, which were issued as Security Council documents under the symbols S/2010/187 and Add.1, have been reproduced on pages 116 to 119 of the present volume. The mission took place from 13 to 16 May 2010 (see S/2010/288).

[292] The letter, which was issued as a Security Council document under the symbol S/2010/325, has been reproduced on page 98 of the present volume. The mission took place from 21 to 24 June 2010 (see S/2010/564).

THE PROMOTION AND STRENGTHENING OF THE RULE OF LAW IN THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY[293]

Decisions

At its 6347th meeting, on 29 June 2010, the Security Council decided to invite the representatives of Argentina, Armenia, Australia, Azerbaijan, Botswana, Canada, Denmark, Finland, Germany, Guatemala, Italy, Liechtenstein, Norway, Peru, the Republic of Korea, Solomon Islands, South Africa and Switzerland to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "The promotion and strengthening of the rule of law in the maintenance of international peace and security
>
> > "Letter dated 18 June 2010 from the Permanent Representative of Mexico to the United Nations addressed to the Secretary-General (S/2010/322)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Patricia O'Brien, Under-Secretary-General for Legal Affairs and Legal Counsel of the United Nations.

At the same meeting, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Pedro Serrano, Acting Head of the Delegation of the European Union to the United Nations, in response to his request dated 24 June 2010.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[294]

> "The Security Council reaffirms its commitment to the Charter of the United Nations and international law, and to an international order based on the rule of law and international law, which is essential for peaceful coexistence and cooperation among States in addressing common challenges, thus contributing to the maintenance of international peace and security.
>
> "The Council is committed to and actively supports the peaceful settlement of disputes and reiterates its call upon Member States to settle their disputes by peaceful means as set forth in Chapter VI of the Charter. The Council emphasizes the key role of the International Court of Justice, the principal judicial organ of the United Nations, in adjudicating disputes between States and the value of its work and calls upon States that have not yet done so to consider accepting the jurisdiction of the Court in accordance with its Statute.
>
> "The Council calls upon States to resort also to other dispute settlement mechanisms, including international and regional courts and tribunals which offer States the possibility of settling their disputes peacefully, contributing thus to the prevention or settlement of conflict.
>
> "The Council emphasizes the importance of the activities of the Secretary-General in promoting mediation and in the pacific settlement of disputes between States, recalls in this regard the report of the Secretary-General of 8 April 2009 on enhancing mediation and its support activities,[295] and encourages the Secretary-General to increasingly and effectively use all the modalities and diplomatic tools at his disposal under the Charter for this purpose.

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[293] Resolutions or decisions on this question were first adopted by the Security Council in 2003. As from the 6347th meeting, held on 29 June 2010, the wording of the item "Strengthening international law: rule of law and maintenance of international peace and security" and of previous similar items was revised to read "The promotion and strengthening of the rule of law in the maintenance of international peace and security".

[294] S/PRST/2010/11.

[295] S/2009/189.

"The Council recognizes that respect for international humanitarian law is an essential component of the rule of law in conflict situations, reaffirms its conviction that the protection of the civilian population in armed conflict should be an important aspect of any comprehensive strategy to resolve conflict and recalls in this regard resolution 1894 (2009).

"The Council further reiterates its call for all parties to armed conflict to respect international law applicable to the rights and protection of women and children, as well as displaced persons and humanitarian workers, and other civilians who may have specific vulnerabilities, such as persons with disabilities and older persons.

"The Council reaffirms its strong opposition to impunity for serious violations of international humanitarian law and human rights law. The Council further emphasizes the responsibility of States to comply with their relevant obligations to end impunity and to thoroughly investigate and prosecute persons responsible for war crimes, genocide, crimes against humanity or other serious violations of international humanitarian law in order to prevent violations, avoid their recurrence and seek sustainable peace, justice, truth and reconciliation.

"The Council notes that the fight against impunity for the most serious crimes of international concern has been strengthened through the work of the International Criminal Court, ad hoc and mixed tribunals, as well as specialized chambers in national tribunals and takes note of the stocktaking of international criminal justice undertaken by the first Review Conference of the Rome Statute of the International Criminal Court, held in Kampala from 31 May to 11 June 2010. The Council intends to continue forcefully to fight impunity and uphold accountability with appropriate means and draws attention to the full range of justice and reconciliation mechanisms to be considered, including national, international and mixed criminal courts and tribunals, truth and reconciliation commissions as well as national reparation programmes for victims, institutional reforms and traditional dispute resolution mechanisms.

"The Council expresses its commitment to ensure that all United Nations efforts to restore peace and security themselves respect and promote the rule of law. The Council recognizes that sustainable peacebuilding requires an integrated approach, which strengthens coherence between political, security, development, human rights and rule of law activities. In this regard, the Council reiterates the urgency of improving United Nations peacebuilding efforts and achieving a coordinated United Nations approach in the field among all parts of the United Nations system, including in ensuring capacity-building support to assist national authorities to uphold the rule of law, especially after the end of United Nations peacekeeping and other relevant missions.

"The Council considers sanctions an important tool in the maintenance and restoration of international peace and security. The Council reiterates the need to ensure that sanctions are carefully targeted in support of clear objectives and designed carefully so as to minimize possible adverse consequences and are implemented by Member States. The Council remains committed to ensuring that fair and clear procedures exist for placing individuals and entities on sanctions lists and for removing them, as well as for granting humanitarian exemptions. In this context, the Council recalls the adoption of resolutions 1822 (2008) and 1904 (2009), including the appointment of an Ombudsperson and other procedural improvements in the Al-Qaida and Taliban sanctions regime.

"The Council welcomes the establishment of the Rule of Law Coordination and Resource Group, chaired by the Deputy Secretary-General and supported by the Rule of Law Unit in the Executive Office of the Secretary-General, and urges greater efforts by the Group to ensure a coordinated and coherent response by the United Nations system to issues related to the rule of law on the agenda of the Council.

> "The Council requests the Secretary-General to provide a follow-up report within 12 months to take stock of the progress made in respect of the implementation of the recommendations contained in the 2004 report of the Secretary-General,[296] and to consider in this context further steps in regard to the promotion of the rule of law in conflict and post-conflict situations."

CENTRAL AFRICAN REGION[297]

Decisions

At its 6288th meeting, on 19 March 2010, the Security Council decided to invite the representatives of Australia, Botswana, the Central African Republic, Chad, the Congo, Costa Rica, the Democratic Republic of the Congo, Germany, Morocco, the Republic of Korea, South Africa and Switzerland to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "Central African region
>
> > "Impact of illicit arms trafficking on peace and security
> >
> > "Letter dated 15 March 2010 from the Permanent Representative of Gabon to the United Nations addressed to the Secretary-General (S/2010/143)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Antonio Maria Costa, Executive Director of the United Nations Office on Drugs and Crime, and Mr. Sergio de Queiroz Duarte, High Representative for Disarmament Affairs.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Louis Sylvain-Goma, Secretary General of the Economic Community of Central African States, Mr. Tête António, Permanent Observer of the African Union to the United Nations, and Mr. Pedro Serrano, Acting Head of the Delegation of the European Union to the United Nations.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[298]

> "The Security Council reaffirms the statements by its President of 24 September 1999,[299] 31 August 2001,[300] 31 October 2002[301] and 29 June 2007,[302] and its resolution 1209 (1998) of 19 November 1998, welcomes all initiatives taken by Member States following the adoption by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects of the Programme of Action to Prevent,

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[296] S/2004/616.

[297] Resolutions or decisions on this question were first adopted by the Security Council in 2003.

[298] S/PRST/2010/6.

[299] S/PRST/1999/28.

[300] S/PRST/2001/21.

[301] S/PRST/2002/30.

[302] S/PRST/2007/24.

Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects[303] and takes note of the process towards an arms trade treaty.

"The Council is gravely concerned about the illicit manufacture, transfer and circulation of small arms and light weapons and their excessive accumulation and uncontrolled spread in many regions of the world, particularly in the subregion of Central Africa, which have a wide range of humanitarian and socio-economic consequences, in particular for the security of civilians, by fuelling armed conflict, which in turn exacerbates the risks of gender-based violence and recruitment of child soldiers and poses a serious threat to peace, reconciliation, safety, security, stability and sustainable development at the local, national, regional and international levels.

"The Council, while acknowledging the right of all States to manufacture, import, export, transfer and retain conventional arms for self-defence and security needs consistent with international law and the Charter of the United Nations, underlines the vital importance of effective regulations and controls of the transparent trade in small arms and light weapons in order to prevent their illegal diversion and re-export.

"The Council reiterates that Member States should comply with existing arms embargoes and export bans and take the steps necessary to effectively implement these measures imposed by the Council in its relevant resolutions.

"The Council is alarmed that illicit transfers of small arms and light weapons in contravention of arms embargoes and export bans to or by criminal organizations or other irresponsible actors, including those suspected of engaging in terrorist acts, are linked with illicit trafficking in drugs, illegal exploitation of natural resources and illicit trade in such resources. The Council encourages all Member States that have not yet done so to accede to, ratify and implement the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[304] including the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition.

"The Council welcomes the various initiatives that are currently under way within the subregion, notes the efforts to establish a subregional register of small arms and encourages the Central African countries to take the measures necessary to build up the capacity of the Economic Community of Central African States through the establishment of a subregional register of arms dealers as well as the elaboration of a subregional legally binding instrument on the control of small arms and light weapons, their ammunition and all equipment that might serve for their manufacture.

"The Council reaffirms the importance of addressing illicit arms trafficking, in particular of small arms and light weapons, through an approach of common and shared responsibility, and encourages the States of the subregion to fully implement relevant measures adopted at the national, subregional, regional and international levels and to consider appropriate steps in this regard.

"The Council calls upon the States of the subregion to strengthen efforts to establish mechanisms and regional networks among their relevant authorities for information-sharing to combat the illicit circulation of and trafficking in small arms and light weapons. The Council also stresses the need for the States of the subregion to strengthen their cooperation, including through regional and subregional organizations, in particular the African Union, in order to identify and take appropriate measures against individuals and entities that engage in illegal trafficking in small arms and light weapons in the Central African subregion.

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[303] See *Report of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 9–20 July 2001* (A/CONF.192/15), chap. IV, para. 24.

[304] United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.

"The Council emphasizes the need for national authorities in the subregion to fully participate in the practical implementation of the Programme of Action adopted on 20 July 2001 by the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons adopted on 8 December 2005,[305] and encourages Central African countries to regularly submit national reports to the Secretary-General, in accordance with the above-mentioned instruments.

"The Council encourages the Economic Community of Central African States to assist Central African countries in ensuring the effective implementation of arms embargoes imposed by the Council and, in this context, to establish measures such as inquiries into illicit arms trafficking routes, follow-up of possible violations and cooperation in border monitoring, in consultation with the countries concerned. In this regard, the Council encourages the committees in charge of monitoring arms embargoes in Central African countries and neighbouring countries, consistent with their mandates, to continue to include in their annual reports a substantive section on the implementation of arms embargoes and on possible violations of the measures reported to the committees, with recommendations, as appropriate, for strengthening the effectiveness of arms embargoes. This information could also be shared with the International Weapons and Explosives Tracking System of the International Criminal Police Organization (INTERPOL).

"The Council encourages the committees in charge of monitoring arms embargoes in Central African countries and neighbouring countries, consistent with their mandates, to establish channels of communication with the Economic Community of Central African States and its member States, and with the United Nations Standing Advisory Committee on Security Questions in Central Africa.

"The Council supports the action of the United Nations missions present in the subregion, consistent with their mandates, to assist disarmament processes within the framework of disarmament, demobilization and reintegration programmes, and calls upon international partners to assist the Central African countries to build and strengthen their capacities to set up and implement measures relating to the prevention of the illicit proliferation of small arms and light weapons, and the security and management of stockpiles of arms, especially small arms and light weapons.

"The Council recognizes the importance of the forthcoming Fourth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, to be held in June 2010, and encourages Member States, including those in the subregion of Central Africa, to fully cooperate with the Chair to ensure a successful outcome of the meeting.

"The Council encourages Member States to undertake vigorous actions aimed at restricting the supply of small arms and light weapons and ammunition to areas of instability in Central Africa.

"The Council requests the Secretary-General to take into account in his biennial report, as a follow-up, the content of the present statement."

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[305] A/60/88 and Corr.2, annex; see also General Assembly decision 60/519.

REPORTS OF THE SECRETARY-GENERAL ON THE SUDAN[306]

Decision

At its 6199th meeting, on 13 October 2009, the Security Council considered the item entitled "Reports of the Secretary-General on the Sudan".

Resolution 1891 (2009)
of 13 October 2009

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the Sudan,

Reaffirming its commitment to the sovereignty, unity, independence and territorial integrity of the Sudan, and recalling the importance of the principles of good-neighbourliness, non-interference and cooperation in the relations among States in the region,

Stressing again its firm commitment to the cause of peace throughout the Sudan, full implementation of the Comprehensive Peace Agreement of 9 January 2005[307] and, bearing in mind the Darfur Peace Agreement, completion of the political process and an end to the violence and abuses in Darfur,

Reiterating the importance of promoting a political process to restore peace and stability in Darfur, and strongly urging those parties that have not yet agreed to participate in negotiations to do so immediately and all parties to the conflict to engage fully and constructively in the process and to cooperate with the Joint African Union-United Nations Chief Mediator for Darfur, Mr. Djibril Yipènè Bassolé,

Reiterating also the need for a lasting political solution and sustained security in Darfur, and deploring the fact that the Darfur Peace Agreement has not been fully implemented by the signatories and has not been signed by all parties to the conflict in Darfur,

Noting with deep concern the ongoing violence, impunity and consequent deterioration of the humanitarian aid situation and humanitarian access to populations in need, reiterating its deep concern about the security of civilians and humanitarian aid workers, and calling upon all parties in Darfur to cease offensive actions immediately and to refrain from further violent attacks,

Demanding that the parties to the conflict exercise restraint and cease military action of all kinds,

Demanding also an immediate and complete cessation by all parties to armed conflict of all acts of sexual violence against civilians, in line with resolution 1888 (2009) of 30 September 2009, recruitment and use of children, in line with resolutions 1612 (2005) of 26 July 2005 and 1882 (2009) of 4 August 2009, and indiscriminate attacks against civilians,

Commending the efforts of, and reiterating its full support for, the Joint African Union-United Nations Chief Mediator, the United Nations Secretary-General, the League of Arab States and the leaders of the region to promote peace and stability in Darfur, looking forward to the full and effective deployment of the African Union-United Nations Hybrid Operation in Darfur, and expressing its strong support for the political process under the African Union-United Nations-led mediation,

Welcoming the announcement by the Department of Peacekeeping Operations of the Secretariat of its intention to develop guidelines to enhance cooperation and information-sharing between United Nations peacekeeping missions and the expert panels of the Security Council sanctions committees,

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[306] Resolutions or decisions on this question were first adopted by the Security Council in 2004.

[307] S/2005/78, annex.

Recalling the midterm report of 30 April 2009 of the Panel of Experts on the Sudan, which was appointed by the Secretary-General pursuant to paragraph 3 (*b*) of resolution 1591 (2005) of 29 March 2005 and whose mandate was extended by subsequent resolutions, taking note of the final report of the Panel,[108] and expressing its intention to study, through the Security Council Committee established pursuant to paragraph 3 (*a*) of resolution 1591 (2005) (hereinafter "the Committee"), the recommendations of the Panel and to consider appropriate next steps,

Expressing concern over the obstacles that have been imposed on the work of the Panel of Experts during the course of its last mandate, including obstacles to freedom of movement,

Emphasizing the need to respect the provisions of the Charter of the United Nations concerning privileges and immunities and the Convention on the Privileges and Immunities of the United Nations,[109] as applicable to United Nations operations and persons engaged in such operations,

Determining that the situation in the Sudan continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter,

1. *Decides* to extend until 15 October 2010 the mandate of the Panel of Experts on the Sudan originally appointed pursuant to resolution 1591 (2005), which was previously extended by resolutions 1651 (2005) of 21 December 2005, 1665 (2006) of 29 March 2006, 1713 (2006) of 29 September 2006, 1779 (2007) of 28 September 2007 and 1841 (2008) of 15 October 2008, and requests the Secretary-General to take the necessary administrative measures;

2. *Requests* the Panel of Experts to provide, no later than 31 March 2010, a midterm briefing on its work and, no later than ninety days after the adoption of the present resolution, an interim report to the Committee, and a final report to the Security Council, no later than thirty days prior to the termination of its mandate, with its findings and recommendations;

3. *Also requests* the Panel of Experts to coordinate its activities, as appropriate, with the operations of the African Union-United Nations Hybrid Operation in Darfur and with international efforts to promote the political process in Darfur, and to assess in its interim and final reports progress towards reducing violations by all parties of the measures imposed by paragraphs 7 and 8 of resolution 1556 (2004) of 30 July 2004 and paragraph 7 of resolution 1591 (2005) and progress towards removing impediments to the political process, threats to stability in Darfur and the region and other violations of the above-mentioned resolutions;

4. *Urges* all States, relevant United Nations bodies, the African Union and other interested parties to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures imposed by resolutions 1556 (2004) and 1591 (2005);

5. *Encourages* all States, in particular those in the region, to report to the Committee on the actions they have taken to implement the measures imposed by resolutions 1556 (2004) and 1591 (2005);

6. *Reaffirms* the mandate of the Committee to encourage dialogue with interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss the implementation of the measures;

7. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6199th meeting.

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[108] See S/2009/562, annex.

[109] General Assembly resolution 22 A (I).

Decisions

At its 6227th meeting, on 30 November 2009, the Security Council decided to invite the representative of the Sudan to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Reports of the Secretary-General on the Sudan

> "Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur (UNAMID) (S/2009/592)"

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Edmond Mulet, Assistant Secretary-General for Peacekeeping Operations.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Djibril Yipene Bassole, Joint African Union-United Nations Chief Mediator for Darfur.

On 3 December 2009, the President of the Security Council addressed the following letter to the Secretary-General:[310]

> "I have the honour to inform you that your letter dated 1 December 2009 concerning your intention to appoint Mr Ibrahim Gambari, of Nigeria, as the Joint Special Representative for the African Union-United Nations Hybrid Operation in Darfur[311] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 6230th meeting, on 4 December 2009, the Council considered the item entitled "Reports of the Secretary-General on the Sudan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Luis Moreno-Ocampo, Prosecutor of the International Criminal Court.

At its 6251st meeting, on 21 December 2009, the Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

> "Letter dated 17 November 2009 from the Secretary-General addressed to the President of the Security Council (S/2009/599)"

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Jean Ping, Chairperson of the African Union Commission, and Mr. Thabo Mbeki, Chairperson of the African Union High-Level Panel on Darfur.

At its 6252nd meeting, held in private on 21 December 2009, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 6252nd meeting, held in private on 21 December 2009, the Security Council considered the item entitled 'Reports of the Secretary-General on the Sudan'.
>
> "The President extended invitations to Member States which had requested to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

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[310] S/2009/622.

[311] S/2009/621.

> "Pursuant to the decisions taken at the 6251st meeting, the President extended invitations under rule 39 of the provisional rules of procedure of the Council to Mr. Jean Ping, Chairperson of the African Union Commission, and Mr. Thabo Mbeki, Chairperson of the African Union High-Level Panel on Darfur.
>
> "Members of the Council and Mr. Ping had an exchange of views."

On 31 January 2010, the President of the Security Council addressed the following letter to the Secretary-General:[112]

> "I have the honour to inform you that your letter dated 29 January 2010 concerning your intention to appoint Mr. Haile Menkerios, of South Africa, as your Special Representative for the Sudan[113] has been brought to the attention of the members of the Security Council. They have taken note of the intention expressed therein."

At its 6269th meeting, on 11 February 2010, the Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

> "Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur (S/2010/50)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Dmitry Titov, Assistant Secretary-General for Peacekeeping Operations.

At its 6304th meeting, on 29 April 2010, the Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

> "Report of the Secretary-General on the United Nations Mission in the Sudan (S/2010/168 and Add.1)".

Resolution 1919 (2010)
of 29 April 2010

The Security Council,

Recalling all its resolutions and the statements by its President concerning the situation in the Sudan,

Reaffirming its resolutions 1674 (2006) of 28 April 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict, in which it reaffirms, inter alia, the relevant provisions of the 2005 World Summit Outcome,[114] its resolutions 1612 (2005) of 26 July 2005 and 1882 (2009) of 4 August 2009 on children and armed conflict, its resolution 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel and its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009 and 1889 (2009) of 5 October 2009 on women and peace and security,

Taking note of the report of the Secretary-General of 5 April 2010 on the United Nations Mission in the Sudan,[115] recalling the report of the Secretary-General of 10 February 2009 on children and armed conflict in the Sudan,[116] including his recommendations, and the report of the

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[112] S/2010/58.

[113] S/2010/57.

[114] See General Assembly resolution 60/1.

[115] S/2010/168.

[116] S/2009/84.

Secretary-General of 29 August 2007 on children and armed conflict in the Sudan,[illegible] and recalling the conclusions on children and armed conflict in the Sudan endorsed by the Security Council Working Group on Children and Armed Conflict,[illegible]

Reaffirming its commitment to the sovereignty, unity, independence and territorial integrity of the Sudan and to the cause of peace, stability and security throughout the region,

Stressing the importance of the full implementation of the Comprehensive Peace Agreement of 9 January 2005,[illegible] including, in particular, the importance of pursuing further efforts to make unity attractive and respecting the right to self-determination of the people of Southern Sudan, to be exercised through a referendum to determine their future status,

Emphasizing the need for the United Nations and the international community to support the consolidation of mutual trust between the two parties,

Taking note of the nationwide elections conducted in April 2010, as elections are a component of the implementation of the Comprehensive Peace Agreement, and commending the people in the Sudan who are working toward democracy,

Recognizing that, regardless of the results of the referendum, both parties to the Comprehensive Peace Agreement will need to continue to discuss critical issues in a peaceful and constructive manner and that the United Nations, the African Union and other regional organizations can play an important role in supporting and promoting this dialogue,

Commending the work of the United Nations Mission in the Sudan and the continuing commitment of troop- and police-contributing countries in support of the Comprehensive Peace Agreement and the Mission,

Commending also the work of the African Union in the Sudan, in particular the African Union High-Level Implementation Panel for the Sudan and the role that it has played in focusing attention on the interrelatedness of conflicts in the Sudan and assisting the Sudanese parties to comprehensively address these issues, along with the Intergovernmental Authority on Development and other regional actors,

Commending further the continuing work of the Assessment and Evaluation Commission,

Condemning all acts and forms of violence perpetrated by any party that prevent or hinder peace and stability in the Sudan and the region, deploring their effects on the civilian population, in particular on women and children, and calling for compliance by all parties with their obligations under international humanitarian and human rights law,

Stressing the ongoing importance of providing humanitarian and development assistance to the civilian populations throughout the Sudan, encouraging comprehensive preparedness efforts by the United Nations in view of the upcoming referendum, including the need for increased humanitarian and development assistance in the south for the remainder of the Comprehensive Peace Agreement implementation period as well as post-Agreement and the need for continued cooperation among the parties to the Agreement, the United Nations and humanitarian organizations, and urging donors to support the implementation of the Agreement and to honour all pledges of financial and material support,

Acknowledging that the Comprehensive Peace Agreement has reached a critical stage, and stressing the need to complete all remaining implementation tasks under the Agreement,

Welcoming the increased and continuing cooperation among the United Nations Mission in the Sudan and all other United Nations missions in the region, and stressing the importance of

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[illegible] S/2007/520.

[illegible] S/AC.51/2009/5.

continued sharing of information among them to help to counter regional threats, such as the activities of militias and armed groups including but not limited to such groups as the Lord's Resistance Army,

Determining that the situation in the Sudan continues to constitute a threat to international peace and security,

1. *Decides* to extend the mandate of the United Nations Mission in the Sudan until 30 April 2011, with the intention to renew it for further periods as may be required;

2. *Requests* the Secretary-General to continue reporting to the Security Council every three months on the implementation of the mandate of the Mission, progress in the implementation of the Comprehensive Peace Agreement[301] and respect for the ceasefire;

3. *Also requests* the Secretary-General to provide in his quarterly reports information, including (1) a detailed plan of measures that the Mission is taking to support the referendum and popular consultation processes, consistent with paragraph 7 below, including lessons learned from the 2010 elections, (2) the status of United Nations engagement with the parties to the Comprehensive Peace Agreement and progress by the parties concerning the critical tasks that will need to be accomplished post-referendum and, as appropriate, information on (3) planning by the Mission in consultation with the parties concerning the United Nations presence in the Sudan post-interim period;

4. *Deplores* the persistent localized conflict and violence and its effect on civilians, especially within Southern Sudan, and underscores the importance of the Mission making full use of its authority and capabilities, as stated in paragraph 16 of resolution 1590 (2005) of 24 March 2005, to take the action necessary to provide improved security to the civilian population, humanitarian and development actors and United Nations personnel under imminent threat of violence, and stresses that this mandate includes the protection of refugees, displaced persons, returnees and other civilians with regard to the activities of militias and armed groups, including but not limited to such groups as the Lord's Resistance Army, as recognized in resolution 1663 (2006) of 24 March 2006;

5. *Reiterates its call upon* the Mission to coordinate strategies with other United Nations missions in the region for information on the protection of civilians in the light of the attacks by the Lord's Resistance Army, and requests the Secretary-General to include in his quarterly reports on the Mission information on cooperation between United Nations missions in dealing with the threats of the Lord's Resistance Army;

6. *Calls upon* the Mission to implement a Mission-wide civilian protection strategy, comprehensively throughout the Mission area, including the implementation of tribal conflict resolution mechanisms, and urges the Mission to enhance its presence in areas at high risk of localized conflict, including by conducting frequent patrols;

7. *Recalls* the provision in the Comprehensive Peace Agreement for referendums, as well as the responsibility of the parties to pursue efforts to make unity attractive, reaffirms the support of the Mission for these activities, requests that the Mission be prepared to play a lead role in international efforts to provide assistance, as requested, to support preparations for the referendums in 2011, including in consultation with those Member States able and willing to provide support, and an advisory role related to security arrangements for the referendums, and urges the international community to provide technical and material assistance, including observation capacity for the referendums, as requested by the relevant Sudanese authorities to support the referendums and popular consultations;

8. *Stresses* the importance of full and expeditious implementation of all elements of the Comprehensive Peace Agreement, the agreements on Darfur and the Eastern Sudan Peace Agreement of 14 October 2006, and calls upon all parties to respect and abide by their commitments to these agreements without delay;

9. *Requests* the Mission, within its current mandate and capabilities, to continue to assist the parties, as requested, in the implementation of all elements of the Comprehensive Peace Agreement, including creation of, and appointments to, the referendum and popular consultation commissions, implementation of the decision of the Permanent Court of Arbitration in The Hague regarding Abyei, north-south border demarcation, wealth-sharing, security arrangements, and resolution of conflict in Southern Kordofan and Blue Nile states;

10. *Welcomes* continuing military capability reviews conducted on the deployment of the Mission, stresses the importance of appropriate and flexible deployment of the Mission in order to deter and prevent violence in areas where civilians are under threat of violence, and requests regular reviews of the deployment of the Mission to ensure that the Mission is best placed to support the implementation of the Comprehensive Peace Agreement and protect civilians under imminent threat of violence;

11. *Also welcomes* the sustained commitment of the parties to the Comprehensive Peace Agreement to work together, urges their continued cooperation in carrying out their responsibilities in further implementing the Agreement, and calls upon the parties to the Agreement to cooperate fully with all the United Nations operations in the implementation of their mandates;

12. *Reiterates its concern* over the restrictions and impediments placed on Mission personnel and materiel and the adverse impact that such restrictions and impediments have on the ability of the Mission to perform its mandate effectively, and in that regard calls for all parties to cooperate by providing full and unrestricted access to the Mission in monitoring and verification within its area of responsibility, with special emphasis on monitoring of the Abyei region, and urges the Mission, consistent with its mandate and within its means and capabilities, to consult with the parties and to deploy sufficient personnel to the Abyei region to improve conflict prevention efforts and security for the civilian population;

13. *Expresses its concern* for the health and welfare of the civilian populations in the Sudan, calls upon the parties to the Comprehensive Peace Agreement and the communiqué signed by the United Nations and the Government of National Unity in Khartoum on 28 March 2007 to support and protect all humanitarian personnel and facilitate all humanitarian operations in the Sudan, and urges the Government of the Sudan to continue working with the United Nations to ensure the continuity of humanitarian assistance throughout the Sudan;

14. *Notes* that conflict in one area of the Sudan affects conflict in other areas of the country, and therefore urges the Mission, consistent with its current mandate, to cooperate closely with all United Nations entities operating in the region, including the African Union-United Nations Joint Mediation Support Team and other stakeholders, so that the implementation of the mandates of those bodies supports the overall objective of peace in the Sudan and the region;

15. *Recognizes* the detrimental impact of the proliferation of arms, in particular small arms, on the security of civilians by fuelling armed conflict, encourages the Mission to continue its efforts in providing assistance to the Government of Southern Sudan with regard to the civilian disarmament process, in particular by strengthening the capacity of local authorities to deter inter-communal conflicts and by monitoring forced civilian disarmament initiatives in an effort to avert disarmament operations that could exacerbate insecurity in Southern Sudan;

16. *Requests* the Mission, acting within its current mandate and within its current means and capabilities, to continue to provide technical and logistical support to the Ad Hoc Technical Border Committee, as requested, to help the parties to urgently conclude the process of demarcation of the north/south border of 1956, in accordance with the Comprehensive Peace Agreement;

17. *Encourages* the Mission, consistent with its mandate, and within authorized levels of civilian police, to continue efforts to assist the parties to the Comprehensive Peace Agreement in

promoting the rule of law, restructuring the police and corrections services throughout the Sudan, particularly in the south, owing to the lack of development of the police services, and assisting in the training of civilian police and corrections officers;

18. *Also encourages* the Mission to work closely with the Sudanese Armed Forces and the Sudan People's Liberation Army to reinvigorate the disarmament, demobilization and reintegration process and to assist in voluntary disarmament and weapons collection and destruction efforts in implementation of the disarmament, demobilization and reintegration process under the Comprehensive Peace Agreement, to ensure the timely provision of sustainable reintegration programmes, which will help to promote continued and enhanced funding support from donors for the reintegration phase, and to coordinate with local authorities and with the United Nations agencies, funds and programmes initiatives that strengthen disarmament, demobilization and reintegration with the creation of economic opportunities for reintegrated individuals, further urges donors to respond to calls for assistance to the disarmament, demobilization and reintegration process, in particular the reintegration phase, calls upon donors to honour all obligations and pledges of assistance, and takes note in this context of the need to also assist the victims in conflict-affected communities;

19. *Welcomes* the adoption by the Sudan People's Liberation Army of an action plan to release all children still associated with its forces by the end of 2010, and in order to achieve this goal, calls for timely implementation of this action plan, requests the Mission, consistent with its mandate and in coordination with the relevant parties and with particular emphasis on the protection, release and reintegration with their families of children recruited to and participating with armed forces and armed groups, to increase its support for the National Disarmament, Demobilization and Reintegration Coordination Council and the Northern and Southern Sudan Disarmament, Demobilization and Reintegration Commissions and to monitor the reintegration process;

20. *Also welcomes* the continuing organized return of internally displaced persons and refugees to the Three Areas and Southern Sudan, and requests the Mission, within its current mandate, capabilities and areas of deployment, to coordinate with United Nations and other partners to facilitate sustainable returns, including by helping to establish and maintain the necessary security conditions;

21. *Stresses* the critical role of the Assessment and Evaluation Commission in overseeing and monitoring the implementation of the Comprehensive Peace Agreement, and urges all parties to cooperate fully with the Commission and to implement its recommendations;

22. *Also stresses* the importance of achievable and realistic targets against which the progress of the Mission can be measured, and in this regard requests the Secretary-General to report on and assess the progress in meeting benchmarks in each quarterly report, as well as any consequent recommendations regarding the configuration of the Mission;

23. *Encourages* the periodical update and review of the concept of operations and rules of engagement of the Mission, fully in line with the provisions of the mandate of the Mission under relevant Council resolutions, and requests the Secretary-General to report on progress against the concept and rules to the Council and troop-contributing countries in each quarterly report, and to provide to the Council in the same report specific updates on the security situation in the area of responsibility of the Mission;

24. *Requests* the Secretary-General to continue the measures necessary to ensure full compliance by the Mission with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council fully informed, and urges troop-contributing countries to take appropriate preventive action, including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

25. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6304th meeting.

Decisions

At its 6318th meeting, on 20 May 2010, the Security Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

> "Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur (S/2010/213)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ibrahim Gambari, Joint Special Representative for the African Union-United Nations Hybrid Operation in Darfur.

On 9 June 2010, the President of the Security Council addressed the following letter to the Secretary-General:[119]

> "I have the honour to inform you that your letter dated 8 June 2010 concerning your intention to appoint Major General Moses Bisong Obi, of Nigeria, as Force Commander of the United Nations Mission in the Sudan[120] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 6336th meeting, on 11 June 2010, the Council considered the item entitled "Reports of the Secretary-General on the Sudan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Luis Moreno-Ocampo, Prosecutor of the International Criminal Court.

At its 6337th meeting, held in private on 11 June 2010, the Council decided to authorize its President to issue through the Secretary-General the following communique, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 6337th meeting, held in private on 11 June 2010, the Security Council considered the item entitled 'Reports of the Secretary-General on the Sudan'.
>
> "The President, with the consent of the Council, invited the representatives of those countries which had so requested to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.
>
> "Pursuant to the decision taken at the 6336th meeting, the President recognized the presence at the Council table of Mr. Luis Moreno-Ocampo, Prosecutor of the International Criminal Court, in accordance with rule 39 of the provisional rules of procedure of the Council.
>
> "The members of the Council and Mr. Moreno-Ocampo had an exchange of views."

At its 6338th meeting, on 14 June 2010, the Council considered the item entitled "Reports of the Secretary-General on the Sudan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Thabo Mbeki, Chairperson of the African Union High-Level Panel on Darfur, Mr. Djibril Yipènè Bassolé, Joint African Union-United Nations Chief Mediator for Darfur, and Mr. Ibrahim Gambari, Joint Special Representative for the African Union-United Nations Hybrid Operation in Darfur.

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[119] S/2010/306.

[120] S/2010/305.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Haile Menkerios, Special Representative of the Secretary-General for the Sudan.

At its 6365th meeting, on 27 July 2010, the Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

> "Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur (S/2010/382)"

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ibrahim Gambari, Joint Special Representative for the African Union-United Nations Hybrid Operation in Darfur.

At its 6366th meeting, on 30 July 2010, the Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

> "Report of the Secretary-General on the African Union-United Nations Hybrid Operation in Darfur (S/2010/382)".

Resolution 1935 (2010)
of 30 July 2010

The Security Council,

Reaffirming all its previous resolutions and the statements by its President concerning the situation in the Sudan,

Reaffirming also its strong commitment to the sovereignty, unity, independence and territorial integrity of the Sudan and its determination to work with the Government of the Sudan, in full respect of its sovereignty, to assist in tackling the various challenges in the Sudan,

Recalling its resolutions 1674 (2006) of 28 April 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict, in which it reaffirms, inter alia, the relevant provisions of the 2005 World Summit Outcome,[314] its resolutions 1612 (2005) of 26 July 2005 and 1882 (2009) of 4 August 2009 on children and armed conflict, its resolution 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel and its resolution 1325 (2000) of 31 October 2000 and associated resolutions on women and peace and security,

Bearing in mind the Convention relating to the Status of Refugees of 28 July 1951[321] and the Protocol thereto, of 31 January 1967,[322] along with the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 10 September 1969,[323] as well as the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa of 23 October 2009,[324]

Recalling the report of the Secretary-General of 10 February 2009 on children and armed conflict in the Sudan,[316] including his recommendations, and recalling the conclusions on children and armed conflict in the Sudan endorsed by the Security Council Working Group on Children and Armed Conflict,[318]

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[321] United Nations, *Treaty Series*, vol. 189, No. 2545.

[322] Ibid., vol. 606, No. 8791.

[323] Ibid., vol. 1001, No. 14691.

[324] Available from www.africa-union.org.

Expressing its strong commitment and determination to promote and support the Darfur political process and the efforts of the Joint African Union-United Nations Chief Mediator for Darfur, welcoming his commitment to progress and the negotiations between the Government of the Sudan and the Liberation and Justice Movement on an agreement under the auspices of the Joint Chief Mediator, and deploring the fact that some groups continue to refuse to join the political process,

Underlining, without prejudice to the primary responsibility of the Security Council for the maintenance of international peace and security, the importance of the partnership between the United Nations and the African Union, consistent with Chapter VIII of the Charter of the United Nations, with regard to the maintenance of peace and security in Africa, particularly in the Sudan,

Welcoming the important role of the African Union in the Sudan, in particular the efforts of the African Union High-Level Implementation Panel for the Sudan, working in cooperation with the Joint Chief Mediator and the African Union-United Nations Hybrid Operation in Darfur to promote peace, reconciliation and accountability in Darfur, including through the early convening of a Darfur-Darfur conference, with a view to encouraging early progress in the African Union-United Nations-led peace process,

Welcoming also the report of the Secretary-General of 14 July 2010 on the African Union-United Nations Hybrid Operation in Darfur,[525]

Stressing the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments with a view to enhancing the effectiveness of peacekeeping missions, and underlining in this regard the importance of addressing the requirement for the African Union-United Nations Hybrid Operation in Darfur to be able to deter threats to the implementation of its mandate and the safety and security of its peacekeeping personnel in accordance with the Charter,

Expressing deep concern at the deterioration in the security situation in Darfur, including ceasefire violations, attacks by rebel groups, aerial bombardment by the Government of the Sudan, increased inter-tribal fighting, and attacks on humanitarian personnel and peacekeepers, which have restricted humanitarian access to conflict areas where vulnerable civilian populations reside, as stated in the report of the Secretary-General of 14 July 2010, and calling upon all parties to cease hostilities and urgently facilitate humanitarian access,

Reiterating its condemnation of all violations of human rights and international humanitarian law in Darfur, calling upon all parties to comply with their obligations under international humanitarian and human rights law, emphasizing the need to bring to justice the perpetrators of such crimes, and urging the Government of the Sudan to comply with its obligations in this respect,

Reaffirming its concern over the negative effect of the ongoing violence in Darfur on the stability of the Sudan as a whole as well as the region, welcoming improved relations between the Sudan and Chad following the signing on 15 January 2010 by the Government of the Sudan and the Government of Chad of an agreement to normalize their bilateral relations as well as the deployment of a joint force under a joint command along the border, and encouraging the Sudan and Chad to continue to implement this agreement and to cooperate in order to achieve peace and stability in Darfur and the wider region,

Determining that the situation in the Sudan constitutes a threat to international peace and security,

1. *Decides* to extend the mandate of the African Union-United Nations Hybrid Operation in Darfur as set out in resolution 1769 (2007) of 31 July 2007 for a further twelve months, until 31 July 2011;

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[525] S/2010/382.

2. *Underlines* the need for the African Union-United Nations Hybrid Operation in Darfur to make full use of its mandate and capabilities, giving priority in decisions about the use of available capacity and resources to (*a*) the protection of civilians across Darfur, and (*b*) ensuring safe, timely and unhindered humanitarian access, and the safety and security of humanitarian personnel and humanitarian activities;

3. *Reaffirms* the importance of promoting the African Union-United Nations-led political process for Darfur and, in this regard, underlines the need for the systematic and sustained engagement of all Darfurian stakeholders, including newly elected officials, civil society, including women and women-led organizations, community groups and tribal leaders, in order to create an environment conducive to peace and security through constructive and open dialogue, welcomes the priority given to the continuing efforts of the African Union-United Nations Hybrid Operation in Darfur to promote such engagement in support of and to complement the work of the Joint African Union-United Nations Chief Mediator for Darfur, Mr. Djibril Yipènè Bassolé, and the African Union-United Nations-led political process for Darfur, and welcomes the work of the African Union High-Level Implementation Panel for the Sudan in this regard;

4. *Requests* the African Union-United Nations Hybrid Operation in Darfur, in consultation with the United Nations country team, to develop a comprehensive strategy for the achievement of the objectives set out in paragraph 2 above, and requests the Operation to maximize the use of its capabilities in Darfur in the implementation of that strategy;

5. *Commends* the contribution of troop- and police-contributing countries and donors to the African Union-United Nations Hybrid Operation in Darfur, notes that the Operation is nearing full deployment, underlines the need for capable units able to carry out the Operation's mandated tasks, in this regard requests the continuing assistance of donors to troop- and police-contributing countries in ensuring that units are suitably trained and equipped to conduct and sustain themselves on operations, and calls upon Member States to pledge and contribute the remaining military utility helicopters, aerial reconnaissance and other force enablers required;

6. *Strongly condemns* all attacks on the African Union-United Nations Hybrid Operation in Darfur, underlines that any attack on or threat to the Operation is unacceptable, demands that there be no recurrence of such attacks, stresses the need to enhance the safety and security of Operation personnel, as well as the need to put an end to impunity for those who attack peacekeepers, and in this regard urges the Government of the Sudan to do its utmost to bring the perpetrators of any such crimes to justice;

7. *Commends* the credible work of the Tripartite Mechanism but expresses deep concern at continuing restrictions placed upon the movement and operations of the African Union-United Nations Hybrid Operation in Darfur, calls upon all parties in Darfur to remove all obstacles to the full and proper discharge by the Operation of its mandate, including by ensuring its security and freedom of movement, and in this regard urges the Government of the Sudan to comply with the status-of-forces agreement fully and without delay, particularly regarding flight and equipment clearances, and the removal of all obstacles to the use of aerial assets of the Operation in order to, inter alia, respond to armed threats and emergency medical evacuations as appropriate;

8. *Stresses* the importance of achievable and realistic targets against which the progress of United Nations peacekeeping operations can be measured, requests the Secretary-General to continue reporting to the Security Council every ninety days on progress made towards implementing across Darfur the mandate of the African Union-United Nations Hybrid Operation in Darfur, including on progress towards and obstacles to the implementation of the strategy referred to in paragraph 4 above, also including an assessment of progress against the benchmarks set out in annex II to the report of the Secretary-General of 16 November 2009[126] as well as on

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[126] S/2009/592.

progress in the political process, the security and humanitarian situation, including in the internally displaced persons sites and refugee camps, and early recovery and compliance by all parties with their international obligations;

9. *Demands* that all parties to the conflict in Darfur immediately end violence and attacks on civilians, peacekeepers and humanitarian personnel, and comply with their obligations under human rights and international humanitarian law, affirms in this context the strong opposition of the Council to serious violations of international humanitarian law and human rights law, calls for an immediate cessation of hostilities and for all parties to commit themselves to a sustained and permanent ceasefire, requests the Secretary-General to consult with relevant parties with a view to developing a more effective ceasefire monitoring mechanism, and underlines the need for the African Union-United Nations Hybrid Operation in Darfur to report on major instances of violence which undermines the full and constructive efforts of the parties towards peace;

10. *Expresses its serious concern* at the deterioration of the humanitarian situation, the continued threats to humanitarian organizations and the restricted humanitarian access in Darfur, calls for the full implementation of the communiqué between the Government of the Sudan and the United Nations on the facilitation of humanitarian activities in Darfur, and demands that the Government of the Sudan, all militias, armed groups and all other stakeholders ensure the full, safe and unhindered access of humanitarian organizations and relief personnel and the delivery of humanitarian assistance to populations in need;

11. *Reiterates* that there can be no military solution to the conflict in Darfur and that an inclusive political settlement and the successful deployment of the African Union-United Nations Hybrid Operation in Darfur are essential to re-establishing peace, and reaffirms its full support for the work of the Joint Chief Mediator, Mr. Djibril Yipènè Bassolé, and the African Union-United Nations-led political process for Darfur;

12. *Demands* that all parties to the conflict, including all rebel groups, immediately engage fully and constructively in the peace process without preconditions, including by entering into talks under the mediation of Mr. Bassolé with a view to completing an inclusive and comprehensive agreement, underlines the importance of completing such an agreement in order to bring a stable and durable peace to the region, welcomes the work of Qatar in this regard and the support of other countries in the region, and calls upon the African Union-United Nations Hybrid Operation in Darfur to continue to support the Joint Chief Mediator and the African Union-United Nations Joint Mediation Support Team;

13. *Notes* that conflict in one area of the Sudan affects other areas of the Sudan and the wider region, and urges the African Union-United Nations Hybrid Operation in Darfur to coordinate closely with other United Nations missions in the region, including the United Nations Mission in the Sudan and the United Nations Mission in the Central African Republic and Chad;

14. *Requests* the African Union-United Nations Hybrid Operation in Darfur, consistent with its current capabilities and mandate, to assist and complement the efforts of the United Nations Mission in the Sudan, as appropriate, in preparing for the referendums in Southern Sudan and Abyei, including by coordinating closely with the Mission in sharing analysis of risks in the border areas, particularly regarding threats to civilians;

15. *Stresses* the importance of achieving dignified and durable solutions for refugees and internally displaced persons and of ensuring their full participation in the planning and management of these solutions, and demands that all parties to the conflict in Darfur create the conditions conducive to allowing the voluntary, safe, dignified and sustainable return of refugees and internally displaced persons or their local integration;

16. *Notes* that security will greatly facilitate early recovery initiatives and a return to normalcy in Darfur, stresses the importance of early recovery efforts in Darfur and in this respect encourages the African Union-United Nations Hybrid Operation in Darfur, within its current mandate, to facilitate the work of the United Nations country team and expert agencies on early

recovery and reconstruction in Darfur, inter alia, through the provision of area security, and calls upon the Government of the Sudan to continue its efforts to resolve the root causes of the Darfur crisis and to increase investment in early recovery activity;

17. *Expresses deep concern* over the persistent localized conflicts and violence and their effect on civilians, and the proliferation of arms, in particular small arms, and in this regard requests the African Union-United Nations Hybrid Operation in Darfur to continue to support local conflict resolution mechanisms and to monitor whether any arms or related material are present in Darfur, in accordance with its mandate as set out in paragraph 9 of resolution 1769 (2007);

18. *Demands* that the parties to the conflict immediately take appropriate measures to protect civilians, including women and children, from all forms of sexual violence, in line with resolution 1820 (2008) of 19 June 2008, requests the African Union-United Nations Hybrid Operation in Darfur to report on the implementation of its comprehensive strategy for providing protection to women and children from sexual violence and gender-based violence, as well as to assess progress towards the elimination of sexual and gender-based violence, and requests the Secretary-General to ensure that the relevant provisions of resolutions 1325 (2000), 1820 (2008), 1888 (2009) of 30 September 2009 and 1889 (2009) of 5 October 2009 are implemented by the Operation and to include information on this in his reporting to the Council;

19. *Requests* the Secretary-General to ensure (*a*) continued monitoring and reporting of the situation of children, as part of the reports referred to in paragraph 8 above, and (*b*) continued dialogue with the parties to the conflict towards the preparation of time-bound action plans to end the recruitment and use of child soldiers and other violations of international humanitarian law and human rights law against children;

20. *Also requests* the Secretary-General periodically to review and update the concept of operations and rules of engagement of the African Union-United Nations Hybrid Operation in Darfur in line with its mandate under relevant Council resolutions and to report on this, as part of the reports referred to in paragraph 8 above, to the Council and troop-contributing countries;

21. *Decides* to remain seized of the matter.

Adopted unanimously at the 6366th meeting.

POST-CONFLICT PEACEBUILDING[327]

Decisions

At its 6224th meeting, on 25 November 2009, the Security Council decided to invite the representatives of Bangladesh, Belgium, Brazil, Canada, El Salvador, Finland, India, the Republic of Korea, Sweden and Switzerland to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Post-conflict peacebuilding

"Report of the Peacebuilding Commission on its third session (S/2009/444)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Heraldo Muñoz, Permanent Representative of Chile to the United Nations and Chair of the Peacebuilding Commission.

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[327] Resolutions or decisions on this question were first adopted by the Security Council in 2005.

On 30 December 2009, the President of the Security Council addressed the following letter to the Secretary-General:[328]

"I have the honour to refer to Security Council resolution 1646 (2005), adopted on 20 December 2005, in which the Council, in keeping with its resolution 1645 (2005), adopted on the same date, decided that the permanent members listed in Article 23, paragraph 1, of the Charter of the United Nations should be members of the Organizational Committee of the Peacebuilding Commission and that, in addition, the Council should select annually two of its elected members to participate in the Organizational Committee.

"I therefore have the honour to inform you that, following informal consultations on 29 December 2009, the members of the Council agreed on the selection of Gabon and Mexico as the two elected members of the Council to participate in the Organizational Committee for a term of one year, until the end of 2010."

On 31 December 2009, the President of the Security Council addressed the following letter to the President of the General Assembly:[329]

"I have the honour to refer to your letter dated 18 December 2009 concerning the designation by the Security Council of two of its elected members to serve as members of the Organizational Committee of the Peacebuilding Commission in 2010.

"Please be advised that, pursuant to Council resolution 1646 (2005) and following consultations held on 29 December 2009, the members of the Council have decided to designate Gabon and Mexico, two of its elected members, to serve as members of the Organizational Committee for a term of one year, which will expire at the end of 2010."

At its 6299th meeting, on 16 April 2010, the Council decided to invite the representatives of Afghanistan (Minister for Foreign Affairs), Armenia, Australia, Bangladesh, Botswana, Canada, Costa Rica, Croatia, Egypt, El Salvador, Finland, Ghana, Guatemala, India, Kenya, Nepal, New Zealand, Pakistan, Papua New Guinea, Peru, the Republic of Korea, Rwanda, Sierra Leone (Minister of Defence), Solomon Islands, South Africa, Sri Lanka, Thailand, Timor-Leste (Minister of Justice) and Uruguay to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Post-conflict peacebuilding

"Letter dated 1 April 2010 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General (S/2010/167)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Peter Wittig, Permanent Representative of Germany to the United Nations and Chair of the Peacebuilding Commission.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mrs. Ngozi Okonjo-Iweala, Managing Director of the World Bank.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Pedro Serrano, Acting Head of the Delegation of the European Union to the United Nations.

At the same meeting, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Tête António, Permanent Observer of the African Union to the United Nations, in response to the request dated 14 April 2010 from the Permanent Representative of Uganda to the United Nations addressed to the President of the Council.

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[328] S/2009/678.

[329] S/2009/683.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[110]

> "The Security Council recalls the statements by its President,[111] and emphasizes the critical importance of post-conflict peacebuilding as the foundation for building sustainable peace and development in the aftermath of conflict. The Council highlights the need for effective peacebuilding strategies to ensure durable peace and development.
>
> "The Council recognizes that sustainable peacebuilding requires an integrated approach, which strengthens coherence between political, security, development, human rights and rule of law activities. The Council recognizes the important role that the United Nations can play in supporting national authorities in the development of peacebuilding strategies that incrementally and comprehensively address priority needs. The Council encourages international partners to align their support behind these strategies at the international, regional, national and local levels.
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> "The Council reaffirms the importance of national ownership and the development of national capacity, and underscores that peacebuilding strategies should be considered in a country-specific context. In this regard, the Council recognizes the need for national authorities to take responsibility as soon as possible for reconstituting the institutions and functions of government, with a view to addressing all key peacebuilding needs. The Council emphasizes that support for democratic, transparent and accountable governance is essential in order to achieve durable peace.
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> "The Council highlights the importance of the peaceful settlement of political disputes in a post-conflict State and addressing the sources of violent conflict as essential elements for achieving sustainable peace. The Council recognizes the importance of advancing the peace process and peaceful co-existence through inclusive dialogue, reconciliation and reintegration. The Council reaffirms that ending impunity is essential if a society recovering from conflict is to come to terms with past abuses committed against civilians affected by armed conflict and to prevent such abuses in the future. The Council underlines the importance of holding free, fair and transparent elections for sustainable peace.
>
> "The Council recognizes security sector reform as essential to the peacebuilding process and affirms that security sector reform should be nationally owned. Effective security sector reform requires developing a professional, effective and accountable security sector, in particular national police and military capacities under the civilian oversight of a democratic Government. The Council highlights the importance of a sector-wide approach for security sector reform, which enhances the rule of law, including through the establishment of independent justice and corrections systems. The Council requests the Secretary-General to include, where appropriate and mandated, in his reports on specific missions an indication of their progress in supporting national authorities towards achieving coordinated and comprehensive international support for nationally owned security sector reform programmes.
>
> "The Council recognizes the importance of pursuing political stability and security alongside socio-economic development for the consolidation of peace. The Council stresses the importance of delivering early peace dividends, including the provision of basic services, in order to help to instil confidence and commitment to the peace process. The Council recognizes that the reintegration of refugees, internally displaced persons and former combatants, in coordination with security sector reform and disarmament, demobilization

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[110] S/PRST/2010/7.

[111] S/PRST/2008/16, S/PRST/2009/23 and S/PRST/2010/2.

and reintegration, should not be seen in isolation, but should be carried out in the context of a broader search for peace, stability and development, with special emphasis on the revival of economic activities. The Council notes in this regard that high levels of youth unemployment can be a major challenge to sustainable peacebuilding.

"While recognizing the importance of developing State capacity, the Council also emphasizes the importance of increased attention and coherent policies for the reconstruction of conflict-affected communities and the empowerment of affected people, in particular vulnerable civilians, such as children, the elderly, refugees and internally displaced persons. The Council takes note of the need for assistance for victims. The Council, in accordance with its resolutions 1325 (2000) and 1820 (2008), underlines the key role that women and young persons can play in re-establishing the fabric of society, and stresses the need for their involvement in the development and implementation of post-conflict strategies in order to take account of their perspectives and needs.

"The Council notes that drug trafficking, organized crime, terrorism, illegal trafficking in arms and trafficking in persons could constitute transnational threats with an impact on the consolidation of peace in countries emerging from conflict, and underlines the importance of increasing international and regional cooperation on the basis of common and shared responsibility to address them effectively.

"The Council reiterates the importance of launching peacebuilding assistance at the earliest possible stage. The Council recognizes the critical role of the Peacebuilding Commission in addressing peacebuilding priorities, particularly by marshalling support and resources and improving planning and coordination for peacebuilding efforts. The Council further recognizes the need for greater coordination with the Commission and looks forward to the 2010 review of the Commission and the recommendations on how its role can be enhanced.

"The Council recognizes the importance of enhancing coordination among relevant bilateral and multilateral donors to ensure predictable, coherent and timely financial support for post-conflict peacebuilding. The Council underscores that funding mechanisms for addressing immediate post-conflict needs, in particular the Peacebuilding Fund, should play a catalytic role, which should be followed by more substantial, longer-term finance as soon as possible for the recovery and reconstruction efforts. The Council encourages greater synergy between the Peacebuilding Fund and the Peacebuilding Commission.

"The Council recognizes the need to broaden and deepen the pool of civilian experts, in particular experts from developing countries and women, to help to develop national capacity, and encourages Member States, the United Nations and other relevant partners to strengthen cooperation and coordination in building such capacities. The Council looks forward to the recommendations of the United Nations civilian capacity review in the report of the Secretary-General, to follow up his report on peacebuilding in the immediate aftermath of conflict.[332]

"The Council emphasizes the need for the United Nations system to strengthen strategic partnership with other international, regional and subregional organizations, as well as financial institutions, in particular by promoting coherence and coordination among their plans and programmes. In this connection, the Council looks forward to further strengthening of the cooperation between the United Nations and the World Bank at both the headquarters and the field levels, and to the Secretary-General including in his follow-up report details of the steps that have been taken in generating more timely, predictable and accountable responses for the key peacebuilding sectors as requested."

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[332] S/2009/304.

In a letter dated 19 July 2010, the President of the Security Council informed the Chair of the Peacebuilding Commission that the Council supported the request to place Liberia on the agenda of the Commission.[333]

THE SITUATION CONCERNING IRAQ[334]

Decisions

At its 6177th meeting, on 4 August 2009, the Security Council decided to invite the representative of Iraq to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation concerning Iraq

> "Report of the Secretary-General pursuant to paragraph 6 of resolution 1830 (2008) (S/2009/393)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ad Melkert, Special Representative of the Secretary-General for Iraq and Head of the United Nations Assistance Mission for Iraq.

At its 6179th meeting, on 7 August 2009, the Council decided to invite the representative of Iraq to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation concerning Iraq

> "Report of the Secretary-General pursuant to paragraph 6 of resolution 1830 (2008) (S/2009/393)".

Resolution 1883 (2009)
of 7 August 2009

The Security Council,

Recalling all its previous relevant resolutions on Iraq, in particular resolutions 1500 (2003) of 14 August 2003, 1546 (2004) of 8 June 2004, 1557 (2004) of 12 August 2004, 1619 (2005) of 11 August 2005, 1700 (2006) of 10 August 2006, 1770 (2007) of 10 August 2007 and 1830 (2008) of 7 August 2008,

Reaffirming the independence, sovereignty, unity and territorial integrity of Iraq,

Emphasizing the importance of the stability and security of Iraq for the people of Iraq, the region and the international community,

Commending the important efforts made by the Government of Iraq to strengthen democracy and the rule of law, to improve security and public order and to combat terrorism and sectarian violence across the country, and reiterating its support for the people and Government of Iraq in their efforts to build a secure, stable, federal, united and democratic nation, based on the rule of law and respect for human rights,

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[333] The letter, which was issued as a Security Council document under the symbol S/2010/389, has been reproduced on page 35 of the present volume.

[334] Resolutions or decisions on this question were first adopted by the Security Council in 2005.

Welcoming improvements in the security situation in Iraq achieved through concerted political and security efforts, and stressing that challenges to security in Iraq still exist and that improvements need to be sustained through meaningful political dialogue and national unity,

Underscoring the need for all communities in Iraq to participate in the political process and an inclusive political dialogue, to refrain from statements and actions which could aggravate tensions, to reach a comprehensive solution on the distribution of resources, and to develop a just and fair solution for the nation's disputed internal boundaries and work towards national unity,

Reaffirming the importance of the United Nations, in particular the United Nations Assistance Mission for Iraq, in advising, supporting and assisting the people and Government of Iraq to strengthen democratic institutions, advance inclusive political dialogue and national reconciliation, facilitate regional dialogue, aid vulnerable groups, including refugees and internally displaced persons, strengthen gender equality, promote the protection of human rights, and promote judicial and legal reform, and emphasizing the importance of the United Nations, in particular the Mission, prioritizing advice, support and assistance to the people and Government of Iraq to achieve these goals,

Emphasizing the efforts of the Mission to assist the Independent High Electoral Commission and the Government of Iraq in the development of processes for holding successful Iraqi provincial elections in January 2009 and Kurdistan Regional Government elections in July 2009, and towards Iraqi national parliamentary elections in January 2010, and stressing the importance of the transparency, impartiality and independence of the Commission,

Expressing concern about human rights challenges in Iraq, stressing the importance of addressing those challenges, and in this regard urging the Government of Iraq to consider additional steps to support the Independent High Commission for Human Rights,

Expressing concern also about the humanitarian issues confronting the Iraqi people, and stressing the need to continue a coordinated response and to provide adequate resources to address those issues,

Underscoring the sovereignty of the Government of Iraq, reaffirming that all parties should continue to take all feasible steps and develop modalities to ensure the protection of affected civilians, including children, women and members of religious and ethnic minority groups, and should create conditions conducive to the voluntary, safe, dignified and sustainable return of refugees and internally displaced persons, welcoming commitments of the Government for the relief of internally displaced persons, encouraging continued efforts for internally displaced persons and refugees, and noting the important role of the Office of the United Nations High Commissioner for Refugees, based on its mandate, in providing advice and support to the Government, in coordination with the Mission,

Stressing the importance of implementing Security Council resolution 1882 (2009) of 4 August 2009, including through the appointment of child protection advisers in the Mission, as appropriate,

Urging all those concerned, as set forth in international humanitarian law, including the Geneva Conventions of 1949[335] and the Regulations annexed to the Hague Convention IV of 1907,[336] to allow full unimpeded access by humanitarian personnel to all people in need of assistance and to make available, as far as possible, all facilities necessary for their operations, and to promote the safety, security and freedom of movement of humanitarian personnel and United Nations and associated personnel and their assets,

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[335] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[336] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

Thanking Mr. Staffan de Mistura, former Special Representative of the Secretary-General for Iraq, for his service and strong leadership of the Mission,

Welcoming the appointment by the Secretary-General on 7 July 2009 of Mr. Ad Melkert as the new Special Representative for Iraq,

Expressing deep gratitude to all United Nations staff in Iraq for their courageous and tireless efforts,

1. *Decides* to extend the mandate of the United Nations Assistance Mission for Iraq for a period of twelve months from the date of the present resolution;

2. *Decides also* that the Special Representative of the Secretary-General for Iraq and the Mission, at the request of the Government of Iraq, and taking into account the letter dated 29 July 2009 from the Minister for Foreign Affairs of Iraq to the Secretary-General,[337] shall continue to pursue their expanded mandate as stipulated in resolutions 1770 (2007) and 1830 (2008);

3. *Recognizes* that the security of United Nations personnel is essential for the Mission to carry out its work for the benefit of the people of Iraq, and calls upon the Government of Iraq and other Member States to continue to provide security and logistical support to the United Nations presence in Iraq;

4. *Welcomes* the contributions of Member States in providing the Mission with the financial, logistical and security resources and support that it needs to fulfil its mission, and calls upon Member States to continue to provide the Mission with these resources and support;

5. *Expresses its intention* to review the mandate of the Mission in twelve months or sooner, if requested by the Government of Iraq;

6. *Requests* the Secretary-General to report to the Security Council on a quarterly basis on the progress made towards the fulfilment of all the responsibilities of the Mission;

7. *Decides* to remain seized of the matter.

Adopted unanimously at the 6179th meeting.

Decisions

At its 6218th meeting, on 16 November 2009, the Security Council decided to invite the representative of Iraq to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation concerning Iraq

> "Report of the Secretary-General pursuant to paragraph 6 of resolution 1883 (2009) (S/2009/585)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ad Melkert, Special Representative of the Secretary-General for Iraq and Head of the United Nations Assistance Mission for Iraq.

At its 6219th meeting, on 16 November 2009, the Council, pursuant to the decision taken at the 6218th meeting, decided to invite the representative of Iraq to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation concerning Iraq

> "Report of the Secretary-General pursuant to paragraph 6 of resolution 1883 (2009) (S/2009/585)".

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[337] S/2009/395, annex.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[138]

"The Security Council reaffirms its commitment to the independence, sovereignty, unity and territorial integrity of Iraq, and emphasizes the importance of the stability and security of Iraq for its people, the region and the international community.

"The Council reaffirms its full support for the Special Representative of the Secretary-General for Iraq, Mr. Ad Melkert, and the United Nations Assistance Mission for Iraq in advising, supporting and assisting the people and Government of Iraq to strengthen democratic institutions, advance inclusive political dialogue and national reconciliation, facilitate regional dialogue, aid vulnerable groups, strengthen gender equality, promote the protection of human rights, including through the work of the Independent High Commission for Human Rights, promote the protection of children and promote judicial and legal reform.

"The Council encourages the continued work of the Mission, in coordination with the Government of Iraq, to help to create conditions conducive to the voluntary, safe, dignified and sustainable return of Iraqi refugees and internally displaced persons, and welcomes further attention to this issue by all concerned.

"The Council underscores the important role of the Mission in supporting the people and Government of Iraq in promoting dialogue, easing tension and developing a just and fair solution for the nation's disputed internal boundaries, and calls upon all the relevant parties to participate in an inclusive dialogue to this end.

"The Council welcomes the agreement reached on 8 November 2009 in the Iraqi Council of Representatives on amendments to the electoral law of Iraq, which will allow for parliamentary elections to take place in January 2010, as stipulated by the Constitutional Court of Iraq. The Council emphasizes the efforts of the Mission to assist the Government of Iraq and the Independent High Electoral Commission in the development of processes for holding elections. The Council strongly endorses the continued assistance of the Mission to the people and Government of Iraq in preparation for the Iraqi national parliamentary elections planned for January 2010. The Council endorses the appeal by the Secretary-General to all political blocs and their leaders in Iraq to demonstrate true statesmanship during the election campaign and participate in a spirit of national unity.

"The Council underlines its condemnation in the strongest terms of the series of terrorist attacks that occurred on 19 August and 25 October 2009 in Baghdad, which caused numerous deaths and injuries and damage, including to Iraqi Government institutions. The Council reiterates its deep condolences to the families of the victims and reaffirms its support for the people and the Government of Iraq, and its commitment to Iraq's security. The Council reaffirms the need to combat threats to international peace and security caused by terrorist acts by all means, in accordance with the Charter of the United Nations, ensuring that measures taken to combat terrorism fully comply with all obligations under international law, in particular international human rights, refugee and humanitarian law.

"The Council welcomes the recent visit of United Nations officials to Iraq for preliminary consultations related to Iraq's security and sovereignty. The Council encourages the efforts of the Secretary-General in this regard, including the possibility of facilitating technical assistance through the Counter-Terrorism Committee Executive Directorate."

At its 6249th meeting, on 21 December 2009, the Council decided to invite the representative of Iraq to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation concerning Iraq".

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[138] S/PRST/2009/30.

Resolution 1905 (2009)
of 21 December 2009

The Security Council,

Taking note of the letter dated 13 December 2009 from the Prime Minister of Iraq to the President of the Security Council, which is annexed to the present resolution,

Recognizing the positive developments in Iraq and that the situation now existing in Iraq is significantly different from that which existed at the time of the adoption of resolution 661 (1990) on 6 August 1990, also recognizing that Iraqi institutions are strengthening, and further recognizing the importance of Iraq achieving international standing equal to that which it held prior to the adoption of resolution 661 (1990),

Recognizing also that the letter from the Prime Minister of Iraq also reaffirms the commitment by the Government of Iraq to resolve the debts and settle the claims inherited from the previous regime, and to continue to address those debts and claims until they are resolved or settled, and requests the continued assistance of the international community, as the Government works to complete this process,

Recognizing further the significant role of the Development Fund for Iraq and the International Advisory and Monitoring Board and the provisions of paragraph 22 of resolution 1483 (2003) of 22 May 2003 in helping the Government of Iraq to ensure that Iraq's resources are being used transparently and accountably for the benefit of the Iraqi people, and recognizing also the need for Iraq to transition during 2010 to successor arrangements for the Development Fund and the Board, to include the Committee of Financial Experts,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to provide an extension, until 31 December 2010, of the arrangements established in paragraph 20 of resolution 1483 (2003) for the deposit into the Development Fund for Iraq of proceeds from export sales of petroleum, petroleum products and natural gas and the arrangements referred to in paragraph 12 of resolution 1483 (2003) and paragraph 24 of resolution 1546 (2004) of 8 June 2004 for the monitoring of the Development Fund by the International Advisory and Monitoring Board, and further decides that, subject to the exception provided for in paragraph 27 of resolution 1546 (2004), the provisions of paragraph 22 of resolution 1483 (2003) shall continue to apply until that date, including with respect to funds, financial assets and economic resources described in paragraph 23 of that resolution;

2. *Decides also* that the provisions in paragraph 1 above for the deposit of proceeds into the Development Fund for Iraq and for the role of the International Advisory and Monitoring Board and the provisions of paragraph 22 of resolution 1483 (2003) shall be reviewed at the request of the Government of Iraq or no later than 15 June 2010;

3. *Requests* the Secretary-General to provide written reports to the Security Council on a quarterly basis, the first report to be no later than 1 April 2010, to include details on progress made in strengthening the financial and administrative oversight of the current Development Fund for Iraq, as well as the legal issues and options to be considered to implement successor arrangements and an assessment of progress by the Government of Iraq in preparing for the successor arrangements for the Development Fund;

4. *Calls upon* the Government of Iraq to put in place the necessary action plan and timeline by 1 April 2010 and to ensure the timely and effective transition by 31 December 2010 to a post-Development Fund mechanism which takes into account the Stand-By Arrangement requirements of the International Monetary Fund and includes external auditing arrangements and enables Iraq to meet its obligations as established in the provisions of paragraph 21 of resolution 1483 (2003);

5. *Requests* the Government of Iraq, through the head of the Committee of Financial Experts, to report to the Council on a quarterly basis, the first report to be no later than 1 April 2010, to provide an action plan and timeline for the transition from the Development Fund for Iraq

and details on the progress made in strengthening the financial and administrative oversight of the current Development Fund, with subsequent quarterly reports to provide an assessment of progress against the action plan and oversight improvements;

6. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6249th meeting.

Annex

Letter dated 13 December 2009 from Mr. Nuri Kamel al-Maliki, Prime Minister of Iraq, to the President of the Security Council

I refer to my letter dated 7 December 2008 addressed to the President of the Security Council, in which I made it clear that Iraq is committed to finding a satisfactory solution to the problem of the debts and claims that it inherited from the previous regime. In that letter, I expressed the wish of the Government of Iraq that the temporary assistance provided by the international community should continue, in order to permit that goal to be achieved. I also made it clear that the Government of Iraq recognizes that the Development Fund for Iraq plays an important role in ensuring that oil and gas revenues are employed in the best interests of the Iraqi people, and that the International Advisory and Monitoring Board helps to ensure that those resources are managed in a transparent and responsible fashion. In 2010, the Government of Iraq will make appropriate arrangements for the Development Fund for Iraq and the International Advisory and Monitoring Board, with a view to ensuring that oil revenue continues to be used fairly and in the interests of the Iraqi people. Such arrangements will be in keeping with the Constitution and with international best practices with respect to transparency, accountability and integrity. Here I should like to affirm that in 2009, the Government of Iraq made great progress in settling the above-mentioned debts and claims, including by concluding agreements on the reduction of sovereign debt and other bilateral agreements concerning certain claims.

During the remainder of 2009 and in 2010, we will take action to recover the international financial standing of Iraq while at the same time managing oil and gas revenues in order to benefit the people of Iraq.

Those goals cannot be achieved without the continued assistance of the international community by means of the adoption of a Security Council resolution whereby the conditions and arrangements provided for in resolution 1859 (2008) are extended. That resolution concerned the extension of the mandates of the Development Fund for Iraq and the International Advisory and Monitoring Board for a period of 12 months. A review of the new extension should be conducted before 15 June 2010 at the request of the Government of Iraq.

I should be grateful if you would circulate this letter to the members of the Security Council as soon as possible and include it as an annex to the resolution currently being drafted on the extension of the mandates referred to above.

Decisions

At its 6271st meeting, on 16 February 2010, the Security Council decided to invite the representative of Iraq to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "The situation concerning Iraq
>
> > "Report of the Secretary-General pursuant to paragraph 6 of resolution 1883 (2009) (S/2010/76)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ad Melkert, Special Representative of the Secretary-General for Iraq and Head of the United Nations Assistance Mission for Iraq.

At its 6279th meeting, on 26 February 2010, the Council considered the item entitled:

"The situation concerning Iraq

> "Report of the Secretary-General pursuant to paragraph 5 of resolution 1859 (2008) (S/2009/385)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[339]

> "The Security Council reaffirms its commitment to the independence, sovereignty, unity and territorial integrity of Iraq, and emphasizes the importance of the stability and security of Iraq for its people, the region and the international community.
>
> "The Council welcomes the letter dated 18 January 2010 from the Minister for Foreign Affairs of Iraq,[340] which confirms that the Government of Iraq supports the international non-proliferation regime and complies with disarmament treaties and other relevant international instruments, is committed to taking additional steps to comply with non-proliferation and disarmament standards, and has also committed to inform the Council, the International Atomic Energy Agency and other relevant agencies of progress made towards implementing those measures in accordance with the Government's constitutional and legislative procedures and in compliance with international norms and obligations.
>
> "The Council welcomes Iraq's accession to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction,[341] becoming the 186th State party on 12 February 2009.
>
> "The Council also welcomes the intention of the Government of Iraq to sign the Hague Code of Conduct against Ballistic Missile Proliferation.[342]
>
> "The Council also welcomes the fact that Iraq signed the Additional Protocol to its comprehensive safeguards agreement with the International Atomic Energy Agency in 2008 and that the Additional Protocol is currently before Parliament for ratification, as is the Comprehensive Nuclear-Test-Ban Treaty.[343] The Council further welcomes the fact that, consistent with Iraqi law, Iraq has agreed to apply the Additional Protocol provisionally, pending its entry into force.
>
> "The Council underlines, in particular, the importance of Iraq ratifying the Additional Protocol. The Council also requests that the International Atomic Energy Agency inform the Council as soon as possible regarding the quality of Iraq's safeguards-related cooperation with the Agency, including provisional implementation of the Additional Protocol pending its entry into force.
>
> "The Council underlines its readiness, once the necessary steps have been taken, to review, with a view towards lifting, the restrictions in resolutions 687 (1991) and 707 (1991) related to weapons of mass destruction and civil nuclear activities."

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[339] S/PRST/2010/5.

[340] S/2010/37, annex.

[341] United Nations, *Treaty Series*, vol. 1974, No. 33757.

[342] A/57/724, enclosure.

[343] See General Assembly resolution 50/245.

At its 6293rd meeting, on 6 April 2010, the Council decided to invite the representative of Iraq (head of the Committee of Financial Experts) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation concerning Iraq

> "First report of the Secretary-General pursuant to paragraph 3 of resolution 1905 (2009) (S/2010/166)
>
> "Letter dated 18 March 2010 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council (S/2010/153)".[144]

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jun Yamazaki, Controller of the United Nations.

At its 6320th meeting, on 25 May 2010, the Council decided to invite the representative of Iraq to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation concerning Iraq

> "Report of the Secretary-General pursuant to paragraph 6 of resolution 1883 (2009) (S/2010/240)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ad Melkert, Special Representative of the Secretary-General for Iraq and Head of the United Nations Assistance Mission for Iraq.

At its 6356th meeting, on 12 July 2010, the Council decided to invite the representative of Iraq (head of the Committee of Financial Experts) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation concerning Iraq

> "Second report of the Secretary-General pursuant to paragraph 3 of resolution 1905 (2009) (S/2010/359)
>
> "Note verbale dated 18 June 2010 from the Permanent Mission of Iraq to the United Nations addressed to the President of the Security Council (S/2010/365)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jun Yamazaki, Controller of the United Nations.

At its 6357th meeting, held in private on 12 July 2010, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 6357th meeting, held in private on 12 July 2010, the Security Council considered the item entitled 'The situation concerning Iraq'.
>
> "Pursuant to the decision taken at the 6356th meeting, the President recognized the presence at the Council table of Mr. Abdul Basit Turky Saed, head of the Committee of Financial Experts of Iraq, in accordance with rule 37 of the provisional rules of procedure of the Council.

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[144] Pursuant to document S/2010/153/Corr.1 of 10 June 2010, document S/2010/153 was withdrawn and the letter from the representative of Iraq was subsequently circulated under the symbol S/2010/308.

"The President, with the consent of the Council, invited the representatives of those countries which had so requested to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"Pursuant to the decision taken at the 6356th meeting, the President recognized the presence at the Council table of Mr. Jun Yamazaki, Controller of the United Nations, in accordance with rule 39 of the provisional rules of procedure of the Council.

"The members of the Council and Mr. Turky Saed had an exchange of views."

THREATS TO INTERNATIONAL PEACE AND SECURITY[345]

Decisions

At its 6277th meeting, on 24 February 2010, the Security Council considered the item entitled:

"Threats to international peace and security

"Briefing by the Executive Director of the United Nations Office on Drugs and Crime".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Antonio Maria Costa, Executive Director of the United Nations Office on Drugs and Crime.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[346]

"The Security Council reaffirms its primary responsibility for the maintenance of international peace and security, in accordance with the Charter of the United Nations.

"The Council notes with concern the serious threats posed in some cases by drug trafficking and transnational organized crime to international security in different regions of the world. These transnational threats are a source of growing concern.

"The Council, in this context, further notes with concern the increasing link, in some cases, between drug trafficking and the financing of terrorism, including through the use of proceeds derived from illicit cultivation of, production of and trafficking in narcotic drugs and their precursors, as well as illegal arms trafficking.

"The Council notes that these transnational crimes may threaten the security of countries on its agenda, including post-conflict States, and expresses its intention to consider such threats, as appropriate.

"The Council notes with concern that drug trafficking and transnational organized crime contribute to undermining the authority of States.

"The Council notes that, in a globalized society, organized crime groups and networks, better equipped with new information and communications technologies, are becoming more diversified and connected in their illicit operations, which in some cases may aggravate threats to international security. In this context, the Council expresses concern at the increase in incidents of kidnapping and hostage-taking, in some areas of the world with a specific political context, with the aim of raising funds or gaining political concessions. The development of cybercrime is another source of particular concern.

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[345] Resolutions or decisions on this question were first adopted by the Security Council in 2005.

[346] S/PRST/2010/4.

"The Council calls upon Member States to increase international and regional cooperation, on the basis of a common and shared responsibility, as well as their cooperation with the United Nations Office on Drugs and Crime and the International Narcotics Control Board, in order to counter the illicit production of, demand for and trafficking in drugs, and to identify emerging trends in drug trafficking. It welcomes relevant initiatives, such as the Paris Pact.[347] The Council also encourages Member States to undertake further action and to consider, on the basis of concrete proposals by the United Nations Office on Drugs and Crime and the International Narcotics Control Board, through the Commission on Narcotic Drugs, possible new international initiatives aimed at strengthening the fight against illicit trafficking in chemical precursors.

"The Council encourages the coordination of United Nations actions, including those of its agencies, funds and programmes, in order to enhance the effectiveness of appropriate international efforts.

"The Council reaffirms and commends the important work of the United Nations Office on Drugs and Crime, in collaboration with other relevant entities of the United Nations.

"The Council encourages States to strengthen international, regional and subregional cooperation to counter drug trafficking, transnational organized crime, terrorism and corruption and to investigate and prosecute, as appropriate, persons and entities responsible for these crimes, consistent with international law. Through compliance with their obligations under international law, including the relevant resolutions of the Council, Member States can help to strengthen international peace and security. The Council notes relevant international conventions, such as the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol,[348] the Convention on Psychotropic Substances of 1971,[349] the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[350] the United Nations Convention against Transnational Organized Crime of 2000 and the Protocols thereto,[351] the United Nations Convention against Corruption of 2003[352] and the relevant international conventions and protocols related to terrorism.

"The Council expresses its concern about the number of victims of acts of terrorism in various regions of the world. The Council further reiterates that acts, methods and practices of terrorism, as well as knowingly financing, planning and inciting terrorist acts, are contrary to the purposes and principles of the United Nations. The Council calls upon States to continue to condemn in the strongest terms all terrorist acts, irrespective of their motivation, whenever and by whomsoever committed, as well as the incitement of terrorism.

"The Council invites the Secretary-General to consider these threats as a factor in conflict prevention strategies, conflict analysis, and integrated missions assessment and planning and to consider including in his reports, as appropriate, an analysis of the role played by these threats in situations on its agenda.

"The Council welcomes further briefings, as necessary, on a more regular basis, by the Executive Director of the United Nations Office on Drugs and Crime."

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[347] See S/2003/641, annex.

[348] United Nations, *Treaty Series*, vol. 976, No. 14152.

[349] Ibid., vol. 1019, No. 14956.

[350] Ibid., vol. 1582, No. 27627.

[351] Ibid., vols. 2225, 2237, 2241 and 2326, No. 39574.

[352] Ibid., vol. 2349, No. 42146.

NON-PROLIFERATION[353]

Decisions

At its 6235th meeting, on 10 December 2009, the Security Council considered the item entitled:

> "Non-proliferation
>
> > "Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006)".

At its 6280th meeting, on 4 March 2010, the Council considered the item discussed at the 6235th meeting.

At its 6334th meeting, held in private on 8 June 2010, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 6334th meeting, held in private on 8 June 2010, the Security Council considered the item entitled 'Non-proliferation'.
>
> "The President, with the consent of the Council, invited the representatives of those countries which had so requested to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.
>
> "The members of the Council had an exchange of views."

At its 6335th meeting, on 9 June 2010, the Council decided to invite the representatives of Germany and Iran (Islamic Republic of) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "Non-proliferation".

Resolution 1929 (2010)
of 9 June 2010

The Security Council,

Recalling the statement by its President of 29 March 2006[354] and its resolutions 1696 (2006) of 31 July 2006, 1737 (2006) of 23 December 2006, 1747 (2007) of 24 March 2007, 1803 (2008) of 3 March 2008, 1835 (2008) of 27 September 2008 and 1887 (2009) of 24 September 2009, and reaffirming the provisions thereof,

Reaffirming its commitment to the Treaty on the Non-Proliferation of Nuclear Weapons[355] and the need for all States parties to the Treaty to comply fully with all their obligations, and recalling the right of States parties, in conformity with articles I and II of the Treaty, to develop research, production and use of nuclear energy for peaceful purposes without discrimination,

Recalling resolution GOV/2006/14 adopted by the Board of Governors of the International Atomic Energy Agency on 4 February 2006,[356] which states that a solution to the Iranian nuclear issue would contribute to global non-proliferation efforts and to realizing the objective of a Middle East free of weapons of mass destruction, including their means of delivery,

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[353] Resolutions or decisions on this question were first adopted by the Security Council in 2006.

[354] S/PRST/2006/15.

[355] United Nations, *Treaty Series*, vol. 729, No. 10485.

[356] See S/2006/80, annex.

Noting with serious concern that, as confirmed in the reports of the Director General of the International Atomic Energy Agency of 27 February,[357] 8 June,[358] 31 August[359] and 14 November 2006,[360] 22 February,[361] 23 May,[362] 30 August[363] and 15 November 2007,[364] 22 February,[365] 26 May,[366] 15 September[367] and 19 November 2008,[368] 19 February,[369] 5 June,[370] 28 August[371] and 16 November 2009[372] and 18 February[373] and 31 May 2010,[374] the Islamic Republic of Iran has not established full and sustained suspension of all enrichment-related and reprocessing activities and heavy water-related projects as set out in Security Council resolutions 1696 (2006), 1737 (2006), 1747 (2007) and 1803 (2008) nor resumed its cooperation with the Agency under the Additional Protocol, nor cooperated with the the Agency in connection with the remaining issues of concern, which need to be clarified to exclude the possibility of military dimensions of the Islamic Republic of Iran's nuclear programme, nor taken the other steps required by the Board of Governors of the Agency, nor complied with the provisions of resolutions 1696 (2006), 1737 (2006), 1747 (2007) and 1803 (2008), which are essential to build confidence, and deploring the refusal of the Islamic Republic of Iran to take these steps,

Reaffirming that outstanding issues can be best resolved and confidence built in the exclusively peaceful nature of the Islamic Republic of Iran's nuclear programme by the Islamic Republic of Iran responding positively to all the calls which the Council and the Board of Governors of the Agency have made on the Islamic Republic of Iran,

Noting with serious concern the role of elements of the Islamic Revolutionary Guard Corps (also known as "Army of the Guardians of the Islamic Revolution"), including those specified in sections D and E of the annex to resolution 1737 (2006), annex I to resolution 1747 (2007) and annex II to the present resolution, in the Islamic Republic of Iran's proliferation-sensitive nuclear activities and the development of nuclear weapon delivery systems,

Noting with serious concern also that the Islamic Republic of Iran has constructed an enrichment facility at Qom in breach of its obligations to suspend all enrichment-related activities, and that the Islamic Republic of Iran failed to notify it to the the Agency until September 2009, which is inconsistent with its obligations under the subsidiary arrangements to its safeguards agreement,[375]

Noting resolution GOV/2009/82 adopted by the Board of Governors of the Agency on 27 November 2009,[376] which urges the Islamic Republic of Iran to suspend immediately construction at Qom and to clarify the facility's purpose, and chronology of design and construction, and calls upon the Islamic Republic of Iran to confirm, as requested by the Agency, that it has not taken a decision to construct, or authorize construction of, any other nuclear facility which has as yet not been declared to the Agency,

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[357] GOV/2006/15, see S/2006/150, annex.

[358] GOV/2006/38.

[359] GOV/2006/53, see S/2006/702, annex.

[360] GOV/2006/64.

[361] GOV/2007/8; see S/2007/100, annex.

[362] GOV/2007/22; see S/2007/303, annex.

[363] GOV/2007/48 and Corr.1.

[364] GOV/2007/58.

[365] GOV/2008/4.

[366] GOV/2008/15; see S/2008/338, annex.

[367] GOV/2008/38.

[368] GOV/2008/59.

[369] GOV/2009/8.

[370] GOV/2009/35.

[371] GOV/2009/55.

[372] GOV/2009/74.

[373] GOV/2010/10.

[374] GOV/2010/28.

[375] United Nations, *Treaty Series*, vol. 954, No. 13637.

[376] See S/2009/633, annex.

Noting with serious concern that the Islamic Republic of Iran has enriched uranium to 20 per cent, and did so without notifying the Agency with sufficient time for it to adjust the existing safeguards procedures,

Noting with concern that the Islamic Republic of Iran has taken issue with the right of the Agency to verify design information which had been provided by the Islamic Republic of Iran pursuant to the modified Code 3.1, and emphasizing that, in accordance with article 39 of the Islamic Republic of Iran's safeguards agreement, Code 3.1 cannot be modified nor suspended unilaterally and that the right of the Agency to verify design information provided to it is a continuing right which is not dependent on the stage of construction of, or the presence of nuclear material at, a facility,

Reiterating its determination to reinforce the authority of the Agency, strongly supporting the role of the Board of Governors of the Agency, and commending the Agency for its efforts to resolve outstanding issues relating to the Islamic Republic of Iran's nuclear programme,

Expressing the conviction that the suspension set out in paragraph 2 of resolution 1737 (2006) as well as full, verified Iranian compliance with the requirements set out by the Board of Governors of the Agency would contribute to a diplomatic, negotiated solution that guarantees that the Islamic Republic of Iran's nuclear programme is for exclusively peaceful purposes,

Emphasizing the importance of political and diplomatic efforts to find a negotiated solution guaranteeing that the Islamic Republic of Iran's nuclear programme is exclusively for peaceful purposes, and noting in this regard the efforts of Turkey and Brazil towards an agreement with the Islamic Republic of Iran on the Tehran Research Reactor that could serve as a confidence-building measure,

Emphasizing also, however, in the context of these efforts, the importance of the Islamic Republic of Iran addressing the core issues related to its nuclear programme,

Stressing that China, France, Germany, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America are willing to take further concrete measures on exploring an overall strategy of resolving the Iranian nuclear issue through negotiation on the basis of their proposal of June 2006[177] and their proposal of June 2008, contained in annex IV to the present resolution, and noting the confirmation by those countries that, once the confidence of the international community in the exclusively peaceful nature of the Islamic Republic of Iran's nuclear programme is restored, it will be treated in the same manner as that of any non-nuclear weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons,

Welcoming the guidance issued by the Financial Action Task Force to assist States in implementing their financial obligations under resolutions 1737 (2006) and 1803 (2008), and recalling, in particular, the need to exercise vigilance over transactions involving Iranian banks, including the Central Bank of Iran, so as to prevent such transactions contributing to proliferation-sensitive nuclear activities or to the development of nuclear weapon delivery systems,

Recognizing that access to diverse, reliable energy is critical for sustainable growth and development, while noting the potential connection between the Islamic Republic of Iran's revenues derived from its energy sector and the funding of the Islamic Republic of Iran's proliferation-sensitive nuclear activities, and further noting that chemical process equipment and materials required for the petrochemical industry have much in common with those required for certain sensitive nuclear fuel cycle activities,

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[177] See S/2006/521, annex; see also resolution 1747 (2007), annex II.

Having regard to the rights and obligations of States relating to international trade,

Recalling that the law of the sea, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982,[178] sets out the legal framework applicable to ocean activities,

Calling for the ratification of the Comprehensive Nuclear-Test-Ban Treaty[179] by the Islamic Republic of Iran at an early date,

Determined to give effect to its decisions by adopting appropriate measures to persuade the Islamic Republic of Iran to comply with resolutions 1696 (2006), 1737 (2006), 1747 (2007) and 1803 (2008) and with the requirements of the Agency, and also to constrain the development by the Islamic Republic of Iran of sensitive technologies in support of its nuclear and missile programmes, until such time as the Council determines that the objectives of those resolutions have been met,

Concerned by the proliferation risks presented by the Iranian nuclear programme, and mindful of its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Stressing that nothing in the present resolution compels States to take measures or actions exceeding the scope of the present resolution, including the use of force or the threat of force,

Acting under Article 41 of Chapter VII of the Charter,

1. *Affirms* that the Islamic Republic of Iran has so far failed to meet the requirements of the Board of Governors of the International Atomic Energy Agency and to comply with resolutions 1696 (2006), 1737 (2006), 1747 (2007) and 1803 (2008);

2. *Affirms also* that the Islamic Republic of Iran shall without further delay take the steps required by the Board of Governors of the Agency in its resolutions GOV/2006/14[156] and GOV/2009/82,[176] which are essential to build confidence in the exclusively peaceful purpose of its nuclear programme, to resolve outstanding questions and to address the serious concerns raised by the construction of an enrichment facility at Qom in breach of its obligations to suspend all enrichment-related activities, and in this context further affirms its decision that the Islamic Republic of Iran shall without delay take the steps required in paragraph 2 of resolution 1737 (2006);

3. *Reaffirms* that the Islamic Republic of Iran shall cooperate fully with the Agency on all outstanding issues, particularly those which give rise to concerns about the possible military dimensions of the Iranian nuclear programme, including by providing access without delay to all sites, equipment, persons and documents requested by the Agency, and stresses the importance of ensuring that the Agency has all resources and authority necessary for the fulfilment of its work in the Islamic Republic of Iran;

4. *Requests* the Director General of the International Atomic Energy Agency to communicate to the Security Council all his reports on the application of safeguards in the Islamic Republic of Iran;

5. *Decides* that the Islamic Republic of Iran shall without delay comply fully and without qualification with its safeguards agreement,[177] including through the application of the modified Code 3.1 of the subsidiary arrangement to its safeguards agreement, calls upon the Islamic Republic of Iran to act strictly in accordance with the provisions of the Additional Protocol to its

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[178] United Nations, *Treaty Series*, vol. 1833, No. 31363.

[179] See General Assembly resolution 50/245.

safeguards agreement that it signed on 18 December 2003, calls upon the Islamic Republic of Iran to ratify promptly the Additional Protocol, and reaffirms that, in accordance with articles 24 and 39 of the Islamic Republic of Iran's safeguards agreement, the agreement and its subsidiary arrangement, including the modified Code 3.1, cannot be amended or changed unilaterally by the Islamic Republic of Iran, and notes that there is no mechanism in the agreement for the suspension of any of the provisions in the subsidiary arrangement;

6. *Reaffirms* that, in accordance with the obligations of the Islamic Republic of Iran under previous resolutions to suspend all reprocessing, heavy water-related and enrichment-related activities, the Islamic Republic of Iran shall not begin construction on any new uranium-enrichment, reprocessing or heavy water-related facility and shall discontinue any ongoing construction of any uranium-enrichment, reprocessing or heavy water-related facility;

7. *Decides* that the Islamic Republic of Iran shall not acquire an interest in any commercial activity in another State involving uranium mining, production or use of nuclear materials and technology as listed in INFCIRC/254/Rev.9/Part 1, in particular uranium-enrichment and reprocessing activities, all heavy-water activities or technology related to ballistic missiles capable of delivering nuclear weapons, and further decides that all States shall prohibit such investment in territories under their jurisdiction by the Islamic Republic of Iran, its nationals and entities incorporated in the Islamic Republic of Iran or subject to its jurisdiction, or by persons or entities acting on their behalf or at their direction, or by entities owned or controlled by them;

8. *Decides also* that all States shall prevent the direct or indirect supply, sale or transfer to the Islamic Republic of Iran, from or through their territories or by their nationals or individuals subject to their jurisdiction, or using their flag vessels or aircraft, and whether or not originating in their territories, of any battle tanks, armoured combat vehicles, large-calibre artillery systems, combat aircraft, attack helicopters, warships, missiles or missile systems as defined for the purpose of the United Nations Register of Conventional Arms,[380] or related materiel, including spare parts, or items as determined by the Security Council or the Security Council Committee established pursuant to resolution 1737 (2006) ("the Committee"), decides further that all States shall prevent the provision to the Islamic Republic of Iran by their nationals or from or through their territories of technical training, financial resources or services, advice, other services or assistance related to the supply, sale, transfer, provision, manufacture, maintenance or use of such arms and related materiel, and in this context calls upon all States to exercise vigilance and restraint over the supply, sale, transfer, provision, manufacture and use of all other arms and related materiel;

9. *Decides further* that the Islamic Republic of Iran shall not undertake any activity related to ballistic missiles capable of delivering nuclear weapons, including launches using ballistic missile technology, and that States shall take all measures necessary to prevent the transfer of technology or technical assistance to the Islamic Republic of Iran related to such activities;

10. *Decides* that all States shall take the measures necessary to prevent the entry into or transit through their territories of individuals designated in the annex to resolution 1737 (2006), annex I to resolution 1747 (2007), annex I to resolution 1803 (2008) and annex I to the present resolution, or by the Council or the Committee pursuant to paragraph 10 of resolution 1737 (2006), except where such entry or transit is for activities directly related to the provision to the Islamic Republic of Iran of items listed in paragraphs 3(*b*) (i) and (ii) of resolution 1737 (2006) in accordance with paragraph 3 of resolution 1737 (2006), underlines that nothing in the present paragraph shall oblige a State to refuse its own nationals entry into its territory, and decides that the measures imposed in the present paragraph shall not apply when the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including

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[380] See General Assembly resolution 46/36 L.

religious obligations, or where the Committee concludes that an exemption would otherwise further the objectives of the present resolution, including where article XV of the statute of the Agency(8) is engaged;

11. *Decides also* that the measures specified in paragraphs 12 to 15 of resolution 1737 (2006) shall apply also to the individuals and entities listed in annex I to the present resolution and to any individuals or entities acting on their behalf or at their direction, and to entities owned or controlled by them, including through illicit means, and to any individuals and entities determined by the Council or the Committee to have assisted designated individuals or entities in evading sanctions of, or in violating the provisions of, resolution 1737 (2006), 1747 (2007), 1803 (2008) or the present resolution;

12. *Decides further* that the measures specified in paragraphs 12 to 15 of resolution 1737 (2006) shall apply also to the Islamic Revolutionary Guard Corps (also known as "Army of the Guardians of the Islamic Revolution") individuals and entities specified in annex II to the present resolution, and to any individuals or entities acting on their behalf or at their direction, and to entities owned or controlled by them, including through illicit means, and calls upon all States to exercise vigilance over those transactions involving the Islamic Revolutionary Guard Corps that could contribute to the Islamic Republic of Iran's proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems;

13. *Decides* that, for the purposes of the measures specified in paragraphs 3 to 7 of resolution 1737 (2006), the list of items in document S/2006/814 shall be superseded by the list of items in INFCIRC/254/Rev.9/Part 1 and INFCIRC/254/Rev.7/Part 2, and any further items if the State determines that they could contribute to enrichment-related, reprocessing or heavy water-related activities or to the development of nuclear weapon delivery systems, and further decides that, for the purposes of the measures specified in paragraphs 3 to 7 of resolution 1737 (2006), the list of items contained in document S/2006/815 shall be superseded by the list of items contained in document S/2010/263;

14. *Calls upon* all States to inspect, in accordance with their national authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, all cargo to and from the Islamic Republic of Iran, in their territory, including seaports and airports, if the State concerned has information that provides reasonable grounds to believe that the cargo contains items, the supply, sale, transfer or export of which is prohibited by paragraph 3, 4 or 7 of resolution 1737 (2006), paragraph 5 of resolution 1747 (2007), paragraph 8 of resolution 1803 (2008) or paragraph 8 or 9 of the present resolution, for the purpose of ensuring strict implementation of those provisions;

15. *Notes* that States, consistent with international law, in particular the law of the sea, may request inspections of vessels on the high seas with the consent of the flag State, and calls upon all States to cooperate in such inspections if there is information that provides reasonable grounds to believe that the vessel is carrying items, the supply, sale, transfer or export of which is prohibited by paragraph 3, 4 or 7 of resolution 1737 (2006), paragraph 5 of resolution 1747 (2007), paragraph 8 of resolution 1803 (2008) or paragraph 8 or 9 of the present resolution, for the purpose of ensuring strict implementation of those provisions;

16. *Decides* to authorize all States to, and that all States shall, seize and dispose of (such as through destruction, rendering inoperable, storage or transferring to a State other than the originating or destination State for disposal) items, the supply, sale, transfer or export of which is prohibited by paragraph 3, 4 or 7 of resolution 1737 (2006), paragraph 5 of resolution 1747 (2007), paragraph 8 of resolution 1803 (2008) or paragraph 8 or 9 of the present resolution that are identified in inspections pursuant to paragraph 14 or 15 of the present resolution, in a manner that is not inconsistent with their obligations under applicable Council resolutions, including resolution

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(8) United Nations, *Treaty Series*, vol. 276, No. 3988.

1540 (2004) of 28 April 2004, as well as any obligations of parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[illegible] and decides further that all States shall cooperate in such efforts;

17. *Requires* any State, when it undertakes an inspection pursuant to paragraph 14 or 15 of the present resolution, to submit to the Committee within five working days an initial written report containing, in particular, an explanation of the grounds for the inspection, the results of such inspection and whether or not cooperation was provided, and, if items prohibited for transfer are found, further requires such States to submit to the Committee, at a later stage, a subsequent written report containing relevant details on the inspection, seizure and disposal, and relevant details of the transfer, including a description of the items, their origin and intended destination, if that information is not in the initial report;

18. *Decides* that all States shall prohibit the provision by their nationals or from their territory of bunkering services, such as the provision of fuel or supplies, or other servicing of vessels, to Iranian-owned or -contracted vessels, including chartered vessels, if they have information that provides reasonable grounds to believe that they are carrying items, the supply, sale, transfer or export of which is prohibited by paragraph 3, 4 or 7 of resolution 1737 (2006), paragraph 5 of resolution 1747 (2007), paragraph 8 of resolution 1803 (2008) or paragraph 8 or 9 of the present resolution, unless the provision of such services is necessary for humanitarian purposes or until such time as the cargo has been inspected, and seized and disposed of if necessary, and underlines that the present paragraph is not intended to affect legal economic activities;

19. *Decides also* that the measures specified in paragraphs 12 to 15 of resolution 1737 (2006) shall also apply to the entities of the Islamic Republic of Iran Shipping Lines as specified in annex III to the present resolution and to any person or entity acting on their behalf or at their direction, and to entities owned or controlled by them, including through illicit means, or determined by the Council or the Committee to have assisted them in evading the sanctions of, or in violating the provisions of, resolution 1737 (2006), 1747 (2007), 1803 (2008) or the present resolution;

20. *Requests* all Member States to communicate to the Committee any information available on transfers to other companies or activity by Iran Air's cargo division or vessels owned or operated by the Islamic Republic of Iran Shipping Lines that may have been undertaken in order to evade the sanctions of, or in violation of the provisions of, resolution 1737 (2006), 1747 (2007), 1803 (2008) or the present resolution, including renaming or re-registering of aircraft, vessels or ships, and requests the Committee to make that information widely available;

21. *Calls upon* all States, in addition to implementing their obligations pursuant to resolutions 1737 (2006), 1747 (2007), 1803 (2008) and the present resolution, to prevent the provision of financial services, including insurance or reinsurance, or the transfer to, through or from their territory, or to or by their nationals or entities organized under their laws (including branches abroad), or persons or financial institutions in their territory, of any financial or other assets or resources if they have information that provides reasonable grounds to believe that such services, assets or resources could contribute to the Islamic Republic of Iran's proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems, including by freezing any financial or other assets or resources on their territories or that hereafter come within their territories, or that are subject to their jurisdiction or that hereafter become subject to their jurisdiction, that are related to such programmes or activities and applying enhanced monitoring to prevent all such transactions in accordance with their national authorities and legislation;

22. *Decides* that all States shall require their nationals, persons subject to their jurisdiction and firms incorporated in their territory or subject to their jurisdiction to exercise vigilance when doing business with entities incorporated in the Islamic Republic of Iran or subject to the Islamic Republic of Iran's jurisdiction, including those of the Islamic Revolutionary Guard Crops and the Islamic Republic of Iran Shipping Lines, and any individuals or entities acting on their behalf or at their direction, and entities owned or controlled by them, including through illicit means, if they

have information that provides reasonable grounds to believe that such business could contribute to the Islamic Republic of Iran's proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems or to violations of resolution 1737 (2006), 1747 (2007), 1803 (2008) or the present resolution;

23. *Calls upon* States to take appropriate measures that prohibit in their territories the opening of new branches, subsidiaries or representative offices of Iranian banks, and also that prohibit Iranian banks from establishing new joint ventures, taking an ownership interest in or establishing or maintaining correspondent relationships with banks in their jurisdiction to prevent the provision of financial services if they have information that provides reasonable grounds to believe that these activities could contribute to the Islamic Republic of Iran's proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems;

24. *Also calls upon* States to take appropriate measures that prohibit financial institutions within their territories or under their jurisdiction from opening representative offices or subsidiaries or banking accounts in the Islamic Republic of Iran if they have information that provides reasonable grounds to believe that such financial services could contribute to the Islamic Republic of Iran's proliferation-sensitive nuclear activities or the development of nuclear weapon delivery systems;

25. *Deplores* the violations of the prohibitions of paragraph 5 of resolution 1747 (2007) that have been reported to the Committee since the adoption of resolution 1747 (2007), and commends States that have taken action to respond to these violations and report them to the Committee;

26. *Directs* the Committee to respond effectively to violations of the measures decided in resolutions 1737 (2006), 1747 (2007), 1803 (2008) and the present resolution, and recalls that the Committee may designate individuals and entities who have assisted designated persons or entities in evading sanctions of, or in violating the provisions of, these resolutions;

27. *Decides* that the Committee shall intensify its efforts to promote the full implementation of resolutions 1737 (2006), 1747 (2007), 1803 (2008) and the present resolution, including through a work programme covering compliance, investigations, outreach, dialogue, assistance and cooperation, to be submitted to the Council within forty-five days of the adoption of the present resolution;

28. *Decides also* that the mandate of the Committee as set out in paragraph 18 of resolution 1737 (2006), as amended by paragraph 14 of resolution 1803 (2008), shall also apply to the measures decided in the present resolution, including to receive reports from States submitted pursuant to paragraph 17 of the present resolution;

29. *Requests* the Secretary-General to create for an initial period of one year, in consultation with the Committee, a group of up to eight experts ("the Panel of Experts"), under the direction of the Committee, to carry out the following tasks: (*a*) assist the Committee in carrying out its mandate as specified in paragraph 18 of resolution 1737 (2006) and paragraph 28 of the present resolution; (*b*) gather, examine and analyse information from States, relevant United Nations bodies and other interested parties regarding the implementation of the measures decided in resolutions 1737 (2006), 1747 (2007), 1803 (2008) and the present resolution, in particular incidents of non-compliance; (*c*) make recommendations on actions the Council, or the Committee or the State, may consider to improve implementation of the relevant measures; and (*d*) provide to the Council an interim report on its work no later than ninety days after the appointment of the Panel of Experts, and a final report to the Council no later than thirty days prior to the termination of its mandate, with its findings and recommendations;

30. *Urges* all States, relevant United Nations bodies and other interested parties to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures decided in resolutions 1737 (2006), 1747 (2007), 1803 (2008) and the present resolution, in particular incidents of non-compliance;

31. *Calls upon* all States to report to the Committee within sixty days of the adoption of the present resolution on the steps they have taken with a view to implementing effectively paragraphs 7 to 19 and 21 to 24 of the present resolution;

32. *Stresses* the willingness of China, France, Germany, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America to further enhance diplomatic efforts to promote dialogue and consultations, including to resume dialogue with the Islamic Republic of Iran on the nuclear issue without preconditions, most recently in their meeting with the Islamic Republic of Iran, held in Geneva on 1 October 2009, with a view to seeking a comprehensive, long-term and proper solution of this issue on the basis of the proposal made by China, France, Germany, the Russian Federation, the United Kingdom and the United States on 14 June 2008, which would allow for the development of relations and wider cooperation with the Islamic Republic of Iran based on mutual respect and the establishment of international confidence in the exclusively peaceful nature of the Islamic Republic of Iran's nuclear programme and, inter alia, starting formal negotiations with the Islamic Republic of Iran on the basis of the proposal of June 2008, and acknowledges with appreciation that the proposal of June 2008, as contained in annex IV to the present resolution, remains on the table;

33. *Encourages* the High Representative of the European Union for Foreign Affairs and Security Policy to continue communication with the Islamic Republic of Iran in support of political and diplomatic efforts to find a negotiated solution, including relevant proposals by China, France, Germany, the Russian Federation, the United Kingdom and the United States with a view to creating the conditions necessary for resuming talks, and encourages the Islamic Republic of Iran to respond positively to such proposals;

34. *Commends* the Director General of the International Atomic Energy Agency for his proposal of 21 October 2009 on a draft Agreement between the International Atomic Energy Agency and the Governments of the Republic of France, the Islamic Republic of Iran and the Russian Federation for Assistance in Securing Nuclear Fuel for a Research Reactor in Iran for the Supply of Nuclear Fuel to the Tehran Research Reactor, regrets that the Islamic Republic of Iran has not responded constructively to the proposal of 21 October 2009, and encourages the Agency to continue exploring such measures to build confidence consistent with and in furtherance of the resolutions of the Council;

35. *Emphasizes* the importance of all States, including the Islamic Republic of Iran, taking the measures necessary to ensure that no claim shall lie at the instance of the Government of the Islamic Republic of Iran, or of any person or entity in the Islamic Republic of Iran, or of persons or entities designated pursuant to resolution 1737 (2006) and related resolutions, or any person claiming through or for the benefit of any such person or entity, in connection with any contract or other transaction where its performance was prevented by reason of the measures imposed by resolutions 1737 (2006), 1747 (2007), 1803 (2008) and the present resolution;

36. *Requests* within ninety days a report of the Director General of the Agency on whether the Islamic Republic of Iran has established full and sustained suspension of all activities mentioned in resolution 1737 (2006), as well as on the process of Iranian compliance with all the steps required by the Board of Governors of the Agency and with other provisions of resolutions 1737 (2006), 1747 (2007), 1803 (2008) and the present resolution, to the Board of Governors and in parallel to the Council for its consideration;

37. *Affirms* that it shall review the actions of the Islamic Republic of Iran in the light of the report referred to in paragraph 36 above, to be submitted within ninety days, and (*a*) that it shall suspend the implementation of measures if and for so long as the Islamic Republic of Iran suspends all enrichment-related and reprocessing activities, including research and development, as verified by the Agency, to allow for negotiations in good faith in order to reach an early and mutually acceptable outcome; (*b*) that it shall terminate the measures specified in paragraphs 3 to 7 and 12 of resolution 1737 (2006), as well as in paragraphs 2 and 4 to 7 of resolution 1747 (2007), paragraphs 3, 5 and 7 to 11 of resolution 1803 (2008), and in paragraphs 7 to 19 and 21 to 24 of the present resolution, as soon as it determines, following receipt of the report

referred to in paragraph 36 above, that the Islamic Republic of Iran has fully complied with its obligations under the relevant resolutions of the Council and met the requirements of the Board of Governors of the Agency, as confirmed by the Board of Governors, (c) that it shall, in the event that the report shows that the Islamic Republic of Iran has not complied with resolutions 1737 (2006), 1747 (2007), 1803 (2008) and the present resolution, adopt further appropriate measures under Article 41 of Chapter VII of the Charter of the United Nations to persuade the Islamic Republic of Iran to comply with these resolutions and the requirements of the Agency, and underlines that further decisions will be required should such additional measures be necessary;

38. *Decides* to remain seized of the matter.

Adopted at the 6335th meeting
by 12 votes to 2 (Brazil and Turkey),
with 1 abstention (Lebanon).

Annex I

Individuals and entities involved in nuclear or ballistic missile activities

Entities

1. **Amin Industrial Complex**: Amin Industrial Complex sought temperature controllers which may be used in nuclear research and operational production facilities. Amin Industrial Complex is owned or controlled by, or acts on behalf of, the Defense Industries Organization (DIO), which was designated in resolution 1737 (2006).

Location: P.O. Box 91735-549, Mashad, Iran; Amin Industrial Estate, Khalage Rd., Seyedi District, Mashad, Iran; Kaveh Complex, Khalaj Rd., Seyedi St., Mashad, Iran

A.K.A.: Amin Industrial Compound and Amin Industrial Company

2. **Armament Industries Group**: Armament Industries Group (AIG) manufactures and services a variety of small arms and light weapons, including large- and medium-calibre guns and related technology. AIG conducts the majority of its procurement activity through Hadid Industries Complex.

Location: Sepah Islam Road, Karaj Special Road Km 10, Iran; Pasdaran Ave., P.O. Box 19585/777, Tehran, Iran

3. **Defense Technology and Science Research Center**: Defense Technology and Science Research Center (DTSRC) is owned or controlled by, or acts on behalf of, Iran's Ministry of Defense and Armed Forces Logistics (MODAFL), which oversees Iran's defence R&D, production, maintenance, exports and procurement.

Location: Pasdaran Ave, P.O. Box 19585/777, Tehran, Iran

4. **Doostan International Company**: Doostan International Company (DICO) supplies elements to Iran's ballistic missile programme.

5. **Farasakht Industries**: Farasakht Industries is owned or controlled by, or acts on behalf of, the Iran Aircraft Manufacturing Company, which in turn is owned or controlled by MODAFL.

Location: P.O. Box 83145-311, Kilometer 28, Esfahan-Tehran Freeway, Shahin Shahr, Esfahan, Iran

6. **First East Export Bank, P.L.C.**: First East Export Bank, P.L.C. is owned or controlled by, or acts on behalf of, Bank Mellat. Over the last seven years, Bank Mellat has facilitated hundreds of millions of dollars in transactions for Iranian nuclear, missile and defense entities.

Location: Unit Level 10 (B1), Main Office Tower, Financial Park Labuan, Jalan Merdeka, 87000 WP Labuan, Malaysia; Business Registration Number LL06889 (Malaysia)

7. **Kaveh Cutting Tools Company**: Kaveh Cutting Tools Company is owned or controlled by, or acts on behalf of, the DIO.

Location: 3rd Km of Khalaj Road, Seyyedi Street, Mashad 91638, Iran; Km 4 of Khalaj Road, End of Seyedi Street, Mashad, Iran; P.O. Box 91735-549, Mashad, Iran; Khalaj Rd., End of Seyyedi Alley, Mashad, Iran; Moqan St., Pasdaran St., Pasdaran Cross Rd., Tehran, Iran

8. **M. Babaie Industries**: M. Babaie Industries is subordinate to Shahid Ahmad Kazemi Industries Group (formally the Air Defense Missile Industries Group) of Iran's Aerospace Industries Organization (AIO). AIO controls the missile organizations Shahid Hemmat Industrial Group (SHIG) and the Shahid Bakeri Industrial Group (SBIG), both of which were designated in resolution 1737 (2006).

Location: P.O. Box 16535-76, Tehran, 16548, Iran

9. **Malek Ashtar University**: A subordinate of the DTSRC within MODAFL. This includes research groups previously falling under the Physics Research Center (PHRC). International Atomic Energy Agency inspectors have not been allowed to interview staff or see documents under the control of this organization to resolve the outstanding issue of the possible military dimension to Iran's nuclear programme.

Location: Corner of Imam Ali Highway and Babaei Highway, Tehran, Iran

10. **Ministry of Defense Logistics Export**: Ministry of Defense Logistics Export (MODLEX) sells Iranian-produced arms to customers around the world in contravention of resolution 1747 (2007), which prohibits Iran from selling arms or related materiel.

Location: P.O. Box 16315-189, Tehran, Iran; located on the west side of Dabestan Street, Abbas Abad District, Tehran, Iran

11. **Mizan Machinery Manufacturing**: Mizan Machinery Manufacturing (3M) is owned or controlled by, or acts on behalf of, SHIG.

Location: P.O. Box 16595-365, Tehran, Iran

A.K.A.: 3MG

12. **Modern Industries Technique Company**: Modern Industries Technique Company (MITEC) is responsible for design and construction of the IR-40 heavy water reactor in Arak. MITEC has spearheaded procurement for the construction of the IR-40 heavy water reactor.

Location: Arak, Iran

A.K.A.: Rahkar Company, Rahkar Industries, Rahkar Sanaye Company, Rahkar Sanaye Novin

13. **Nuclear Research Center for Agriculture and Medicine**: The Nuclear Research Center for Agriculture and Medicine (NFRPC) is a large research component of the Atomic Energy Organization of Iran (AEOI), which was designated in resolution 1737 (2006). The NFRPC is AEOI's center for the development of nuclear fuel and is involved in enrichment-related activities.

Location: P.O. Box 31585-4395, Karaj, Iran

A.K.A.: Center for Agricultural Research and Nuclear Medicine; Karaji Agricultural and Medical Research Center

14. **Pejman Industrial Services Corporation**: Pejman Industrial Services Corporation is owned or controlled by, or acts on behalf of, SBIG.

Location: P.O. Box 16785-195, Tehran, Iran

15. **Sabalan Company**: Sabalan is a cover name for SHIG.

Location: Damavand Tehran Highway, Tehran, Iran

16. **Sahand Aluminum Parts Industrial Company (SAPICO)**: SAPICO is a cover name for SHIG.

Location: Damavand Tehran Highway, Tehran, Iran

17. **Shahid Karrazi Industries**: Shahid Karrazi Industries is owned or controlled by, or acts on behalf of, SBIG.

Location: Tehran, Iran

18. **Shahid Satarri Industries**: Shahid Sattari Industries is owned or controlled by, or acts on behalf of, SBIG.

Location: Southeast Tehran, Iran

A.K.A.: Shahid Sattari Group Equipment Industries

19. **Shahid Sayyade Shirazi Industries**: Shahid Sayyade Shirazi Industries (SSSI) is owned or controlled by, or acts on behalf of, the DIO.

Location: Next to Nirou Battery Mfg. Co., Shahid Babaii Expressway, Nobonyad Square, Tehran, Iran; Pasdaran St., P.O. Box 16765, Tehran 1835, Iran; Babaei Highway — Next to Niru M.F.G., Tehran, Iran

20. **Special Industries Group**: Special Industries Group (SIG) is a subordinate of DIO.

Location: Pasdaran Avenue, P.O. Box 19585/777, Tehran, Iran

21. **Tiz Pars**: Tiz Pars is a cover name for SHIG. Between April and July 2007, Tiz Pars attempted to procure a five axis laser welding and cutting machine, which could make a material contribution to Iran's missile programme, on behalf of SHIG.

Location: Damavand Tehran Highway, Tehran, Iran

22. **Yazd Metallurgy Industries**: Yazd Metallurgy Industries (YMI) is a subordinate of DIO.

Location: Pasdaran Avenue, Next to Telecommunication Industry, Tehran 16588, Iran; Postal Box 89195/878, Yazd, Iran; P.O. Box 89195-678, Yazd, Iran; Km 5 of Taft Road, Yazd, Iran

A.K.A.: Yazd Ammunition Manufacturing and Metallurgy Industries, Directorate of Yazd Ammunition and Metallurgy Industries

Individuals

Javad Rahiqi: Head of the Atomic Energy Organization of Iran (AEOI) Esfahan Nuclear Technology Center (additional information: DOB: 24 April 1954; POB: Marshad).

Annex II

Entities owned or controlled by, or acting on behalf of the Islamic Revolutionary Guard Corps

1. **Fater (or Faater) Institute**: Khatam al-Anbiya (KAA) subsidiary. Fater has worked with foreign suppliers, likely on behalf of other KAA companies on IRGC projects in Iran.

2. **Gharagahe Sazandegi Ghaem**: Gharagahe Sazandegi Ghaem is owned or controlled by KAA.

3. **Ghorb Karbala**: Ghorb Karbala is owned or controlled by KAA.

4. **Ghorb Nooh**: Ghorb Nooh is owned or controlled by KAA.

5. **Hara Company**: Owned or controlled by Ghorb Nooh.

6. **Imensazan Consultant Engineers Institute**: Owned or controlled by, or acts on behalf of, KAA.

7. **Khatam al-Anbiya Construction Headquarters**: Khatam al-Anbiya Construction Headquarters (KAA) is an IRGC-owned company involved in large scale civil and military construction projects and other engineering activities. It undertakes a significant amount of work on Passive Defense Organization projects. In particular, KAA subsidiaries were heavily involved in the construction of the uranium enrichment site at Qom/Fordow.

8. **Makin**: Makin is owned or controlled by or acting on behalf of KAA, and is a subsidiary of KAA.

9. **Omran Sahel**: Owned or controlled by Ghorb Nooh.

10. **Oriental Oil Kish**: Oriental Oil Kish is owned or controlled by or acting on behalf of KAA.

11. **Rah Sahel**: Rah Sahel is owned or controlled by or acting on behalf of KAA.

12. **Rahab Engineering Institute**: Rahab is owned or controlled by or acting on behalf of KAA, and is a subsidiary of KAA.

13. **Sahel Consultant Engineers**: Owned or controlled by Ghorb Nooh.

14. **Sepanir**: Sepanir is owned or controlled by or acting on behalf of KAA.

15. **Sepasad Engineering Company**: Sepasad Engineering Company is owned or controlled by or acting on behalf of KAA.

Annex III

Entities owned or controlled by, or acting on behalf of the Islamic Republic of Iran Shipping Lines (IRISL)

1. **Irano Hind Shipping Company**

   Location: 18 Mehrshad Street, Sadaghat Street, Opposite of Park Mellat, Vali-e-Asr Ave., Tehran, Iran; 265, Next to Mehrshad, Sedaghat St., Opposite of Mellat Park, Vali Asr Ave., Tehran 1A001, Iran

2. **IRISL Benelux NV**

   Location: Noorderlaan 139, B-2030, Antwerp, Belgium; V.A.T. Number BE480224531 (Belgium)

3. **South Shipping Line Iran (SSL)**

   Location: Apt. No. 7, 3rd Floor, No. 2, 4th Alley, Gandi Ave., Tehran, Iran; Qaem Magham Farahani St., Tehran, Iran

Annex IV

Proposal to the Islamic Republic of Iran by China, France, Germany, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, the United States of America and the European Union[illegible]

Presented to the Iranian authorities on 14 June 2008, Tehran

Possible areas of cooperation with Iran

In order to seek a comprehensive, long-term and proper solution of the Iranian nuclear issue consistent with relevant United Nations Security Council resolutions and building further upon the

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[illegible] See also S/2008/393, annex.

proposal presented to Iran in June 2006,[137] which remains on the table, the elements below are proposed as topics for negotiations between China, France, Germany, Iran, Russia, the United Kingdom and the United States, joined by the High Representative of the European Union, as long as Iran verifiably suspends its enrichment-related and reprocessing activities, pursuant to paragraph 15 and paragraph 19 (*a*) of Security Council resolution 1803 (2008). In the perspective of such negotiations, we also expect Iran to heed the requirements of the Security Council and the International Atomic Energy Agency. For their part, China, France, Germany, Russia, the United Kingdom, the United States and the European Union High Representative state their readiness:

- To recognize Iran's right to develop research, production and use of nuclear energy for peaceful purposes in conformity with its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons;[138]

- To treat Iran's nuclear programme in the same manner as that of any non-nuclear weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons once international confidence in the exclusively peaceful nature of Iran's nuclear programme is restored.

Nuclear energy

- Reaffirmation of Iran's right to nuclear energy for exclusively peaceful purposes in conformity with its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons.

- Provision of technological and financial assistance necessary for Iran's peaceful use of nuclear energy, support for the resumption of technical cooperation projects in Iran by the International Atomic Energy Agency.

- Support for construction of light water reactors based on state-of-the-art technology.

- Support for research and development in nuclear energy as international confidence is gradually restored.

- Provision of legally binding nuclear fuel supply guarantees.

- Cooperation with regard to management of spent fuel and radioactive waste.

Political

- Improving the six countries' and the European Union's relations with Iran and building up mutual trust.

- Encouragement of direct contact and dialogue with Iran.

- Support Iran in playing an important and constructive role in international affairs.

- Promotion of dialogue and cooperation on non-proliferation, regional security and stabilization issues.

- Work with Iran and others in the region to encourage confidence-building measures and regional security.

- Establishment of appropriate consultation and cooperation mechanisms.

- Support for a conference on regional security issues.

- Reaffirmation that a solution to the Iranian nuclear issue would contribute to non-proliferation efforts and to realizing the objective of a Middle East free of weapons of mass destruction, including their means of delivery.

- Reaffirmation of the obligation under the Charter of the United Nations to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the Charter of the United Nations.

- Cooperation on Afghanistan, including on intensified cooperation in the fight against drug trafficking, support for programmes on the return of Afghan refugees to Afghanistan, cooperation on reconstruction of Afghanistan, cooperation on guarding the Iran-Afghan border.

Economic

Steps towards the normalization of trade and economic relations, such as improving Iran's access to the international economy, markets and capital through practical support for full integration into international structures, including the World Trade Organization, and to create the framework for increased direct investment in Iran and trade with Iran.

Energy partnership

Steps towards the normalization of cooperation with Iran in the area of energy: establishment of a long-term and wide-ranging strategic energy partnership between Iran and the European Union and other willing partners, with concrete and practical applications/measures.

Agriculture

- Support for agricultural development in Iran.
- Facilitation of Iran's complete self-sufficiency in food through cooperation in modern technology.

Environment, infrastructure

- Civilian projects in the field of environmental protection, infrastructure, science and technology, and high-tech:
  - Development of transport infrastructure, including international transport corridors;
  - Support for modernization of Iran's telecommunication infrastructure, including by possible removal of relevant export restrictions.

Civil aviation

- Civil aviation cooperation, including the possible removal of restrictions on manufacturers exporting aircraft to Iran:
  - Enabling Iran to renew its civil aviation fleet;
  - Assisting Iran to ensure that Iranian aircraft meet international safety standards.

Economic, social and human development/humanitarian issues

- Provide, as necessary, assistance to Iran's economic and social development and humanitarian need.
- Cooperation/technical support in education in areas of benefit to Iran:
  - Supporting Iranians to take courses, placements or degrees in areas such as civil engineering, agriculture and environmental studies;
  - Supporting partnerships between higher education institutions, e.g. public health, rural livelihoods, joint scientific projects, public administration, history and philosophy.

Cooperation in the field of development of effective emergency response capabilities (e.g. seismology, earthquake research, disaster control, etc.).

Cooperation within the framework of a "dialogue among civilizations"

Implementation mechanism

Constitution of joint monitoring groups for the implementation of a future agreement

Decision

At its 6344th meeting, on 28 June 2010, the Security Council considered the item entitled:

"Non-proliferation

"Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006)".

PEACE CONSOLIDATION IN WEST AFRICA[383]

Decisions

At its 6207th meeting, on 28 October 2009, the Security Council considered the item entitled "Peace consolidation in West Africa".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[384]

"The Security Council remains deeply concerned by the situation in Guinea, which might pose a risk to regional peace and security following the killings that occurred in Conakry on 28 September 2009, when members of the army opened fire on civilians attending a rally. It strongly condemns the violence that reportedly caused more than 150 deaths and hundreds of wounded and other blatant violations of human rights, including numerous rapes and sexual crimes against women, as well as the arbitrary arrest of peaceful demonstrators and opposition party leaders.

"The Council reiterates the need for the national authorities to fight against impunity, bring the perpetrators to justice, uphold the rule of law, including respect for basic human rights, and release all the individuals who are being denied due process under the law.

"The Council welcomes the public statements by the International Contact Group on Guinea, the Economic Community of West African States and the African Union, in particular the communiqué issued by the Peace and Security Council of the African Union at its meeting held on 15 October 2009[385] and the communiqué issued by the Economic Community of West African States at its summit held on 17 October 2009. It welcomes the mediation undertaken by President Blaise Compaore of Burkina Faso, including his efforts to create a more conducive and secure environment in Guinea, and calls upon the international community to support his action.

"The Security Council welcomes the statement of the Economic Community of West African States summit supporting the decision of the Secretary-General to establish an international commission of inquiry to investigate the events of 28 September 2009, in order to ascertain the facts that took place, to identify the perpetrators with a view to ensuring that those responsible for violations are held accountable and to make recommendations to him. The Council takes note of the fact that the authorities of Guinea have officially committed to support the work of the international commission of inquiry in secure conditions.

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[383] Resolutions or decisions on this question were first adopted by the Security Council in 2006.

[384] S/PRST/2009/27.

[385] S/2009/541, annex I.

"The Council welcomes further the statement of the Economic Community of West African States summit stressing the importance of the establishment of a new transitional authority that would ensure credible, free and fair elections, of ensuring that the Chairman and members of the Conseil national pour la democratie et le developpement, the Prime Minister and those who hold high office in the new transitional authority will not be candidates in the forthcoming presidential elections, and of setting up benchmarks in the transition timetable. The Council calls for the elections to be organized as scheduled in 2010.

"The Council further recalls, in this context, its resolution 1888 (2009), in which it urged the Secretary-General, Member States and the heads of regional organizations to take measures to increase the representation of women in mediation processes and decision-making processes with regard to conflict resolution and peacebuilding.

"The Council takes note of the decisions taken by the Peace and Security Council of the African Union on 17 September and 15 October 2009 regarding the imposition of targeted sanctions against the President of the Conseil national pour la democratie et le developpement and other individuals. It also takes note of the decision of the Economic Community of West African States to impose an arms embargo on Guinea. It notes further that the Peace and Security Council will meet at the level of Heads of State on 29 October 2009.

"The Security Council expresses its intention to follow the situation closely. It requests the Secretary-General to update it, as appropriate, on the situation on the ground, the potential implications for the subregion, the international investigation of the killings of 28 September 2009 and the measures taken by the Economic Community of West African States and by the African Union."

At its 6256th meeting, on 12 January 2010, the Council considered the item entitled:

"Peace consolidation in West Africa

"Report of the Secretary-General on the United Nations Office for West Africa (S/2009/682)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Said Djinnit, Special Representative of the Secretary-General for West Africa and Head of the United Nations Office for West Africa.

At its 6272nd meeting, on 16 February 2010, the Council considered the item entitled "Peace consolidation in West Africa".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[illegible]

"The Security Council welcomes the recent positive developments in Guinea, while remaining concerned about the situation. It reaffirms the statement by its President of 28 October 2009.[illegible] It looks forward to the timely restoration of the normal constitutional order in a peaceful manner through a civilian-led transition.

[illegible] S/PRST/2010/3.

"The Council reiterates its support for the efforts of the Economic Community of West African States and the African Union. It commends President Blaise Compaore of Burkina Faso for his mediation efforts and welcomes the communiqués issued on 26 January 2010 by the International Contact Group on Guinea and on 3 February 2010 by the African Union summit.

"The Council welcomes the Joint Declaration of Ouagadougou of 15 January 2010,[398] which, consistent with the proposals made on 6 January 2010 by the interim President, General Sékouba Konate, provides, in particular, for the establishment of a National Unity Government led by a civilian Prime Minister designated by the opposition, the holding of elections within six months, the commitment that the Head of State of the transition, the members of the Conseil National pour la démocratie et le développement, the Prime Minister, the members of the National Unity Government and the defence and security forces in active service will not stand in the forthcoming presidential elections.

"The Council welcomes further the appointment on 21 January 2010 of Mr. Jean-Marie Doré as Prime Minister and the designation of a National Unity Government on 15 February 2010. It calls upon all Guinean stakeholders to implement the Joint Declaration of Ouagadougou in full and to engage actively in the transition towards the restoration of the normal constitutional order through the holding of elections within six months. It calls upon the international community to bring its support to the Guinean authorities led by interim President Sekouba Konate and Prime Minister Jean-Marie Doré, including with regard to comprehensive security and justice sector reform, upon request from the Guinean authorities.

"The Council recalls that it strongly condemned the violence committed on 28 September 2009 and its aftermath. It urges the national authorities to prevent any further violence and to uphold the rule of law, including the promotion and protection of and respect for human rights and due process, and stresses their obligations towards the victims and witnesses. It emphasizes the responsibility of States to comply with their relevant obligations to end impunity.

"The Council commends the work of the International Commission of Inquiry established by the Secretary-General and supported by the Economic Community of West African States and the African Union to investigate the facts and circumstances of the events of 28 September 2009 in Guinea, consistent with its mandate.[399] It takes note positively of the submission by the Commission of its report.[400]

"The Council notes that the International Contact Group on Guinea has invited relevant international stakeholders, including the Economic Community of West African States, the African Union and the Mediator, to consider deploying, as soon as possible and in consultation with the Guinean authorities, a possible joint civil-military mission in Guinea with a view to discussing modalities for defence and security sector reform and contributing to security conditions for the electoral process. It encourages them to plan for such a possible mission.

"The Council reiterates the call made in its resolution 1888 (2009) to increase the representation of women in mediation processes and decision-making processes with regard to conflict resolution and peacebuilding.

"The Council expresses its intention to remain seized of the situation and to react, as appropriate, to any threat or action against the transition. It requests the Secretary-General to continue to update it, as appropriate, on the situation on the ground, the potential implications for the subregion, the fight against impunity, the efforts of the Economic Community of West African States and the African Union and the actions of the United Nations Secretariat."

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[398] S/2010/34, annex.

[399] See S/2009/556, annex.

[400] S/2009/693, annex.

At its 6358th meeting, on 13 July 2010, the Council considered the item entitled:

"Peace consolidation in West Africa

> "Report of the Secretary-General on the United Nations Office for West Africa (S/2010/324)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Said Djinnit, Special Representative of the Secretary-General for West Africa and Head of the United Nations Office for West Africa.

NON-PROLIFERATION/DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA[190]

Decision

At its 6333rd meeting, on 7 June 2010, the Security Council considered the item entitled "Non-proliferation/Democratic People's Republic of Korea".

Resolution 1928 (2010)
of 7 June 2010

The Security Council,

Recalling its previous relevant resolutions, including resolutions 825 (1993) of 11 May 1993, 1540 (2004) of 28 April 2004, 1695 (2006) of 15 July 2006, 1718 (2006) of 14 October 2006, 1874 (2009) of 12 June 2009 and 1887 (2009) of 24 September 2009, as well as the statements by its President of 6 October 2006[191] and 13 April 2009,[192]

Recalling also the interim report of 11 November 2009 of the Panel of Experts on the Democratic People's Republic of Korea appointed by the Secretary-General pursuant to paragraph 26 of resolution 1874 (2009) and the final report of the Panel of Experts, of 12 May 2010,[193]

Determining that the proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, continues to constitute a threat to international peace and security,

Acting under Article 41 of Chapter VII of the Charter of the United Nations,

1. *Decides* to extend until 12 June 2011 the mandate of the Panel of Experts on the Democratic People's Republic of Korea, as specified in paragraph 26 of resolution 1874 (2009), and requests the Secretary-General to take the necessary administrative measures to this effect;

2. *Requests* the Panel of Experts to provide to the Security Council no later than 12 November 2010 a midterm report on its work, and a final report to the Council no later than thirty days prior to the termination of its mandate, with its findings and recommendations;

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[190] Resolutions or decisions on this question were first adopted by the Security Council in 2006.

[191] S/PRST/2006/41.

[192] S/PRST/2009/7.

[193] See S/2010/571, annex.

3. *Urges* all States, relevant United Nations bodies and other interested parties to cooperate fully with the Security Council Committee established pursuant to resolution 1718 (2006) and the Panel of Experts, in particular by supplying any information at their disposal on the implementation of the measures imposed by resolutions 1718 (2006) and 1874 (2009);

4. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6333rd meeting.

LETTER DATED 22 NOVEMBER 2006 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL[144]

Decisions

At its 6214th meeting, on 6 November 2009, the Security Council decided to invite the representative of Nepal to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/920)
>
> > "Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2009/553)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Karin Landgren, Representative of the Secretary-General in Nepal and Head of the United Nations Mission in Nepal.

At its 6260th meeting, on 15 January 2010, the Council decided to invite the representative of Nepal to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/920)
>
> > "Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2010/17)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Karin Landgren, Representative of the Secretary-General in Nepal and Head of the United Nations Mission in Nepal.

At its 6262nd meeting, on 21 January 2010, the Council decided to invite the representative of Nepal to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/920)
>
> > "Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2010/17)".

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[144] Resolutions or decisions on this question were first adopted by the Security Council in 2006.

Resolution 1909 (2010)
of 21 January 2010

The Security Council,

Recalling its resolutions 1740 (2007) of 23 January 2007, 1796 (2008) of 23 January 2008, 1825 (2008) of 23 July 2008, 1864 (2009) of 23 January 2009 and 1879 (2009) of 23 July 2009 and the statement by its President of 5 May 2009,[199]

Reaffirming the sovereignty, territorial integrity and political independence of Nepal and its ownership of the implementation of the Comprehensive Peace Agreement and subsequent agreements,

Recalling the signing on 21 November 2006 by the Government of Nepal and the Communist Party of Nepal (Maoist) of the Comprehensive Peace Agreement, and the stated commitment of both parties to find a permanent and sustainable peace,

Acknowledging the strong desire of the Nepalese people for peace and the restoration of democracy and the importance in this respect of the implementation of the Comprehensive Peace Agreement and subsequent agreements by the relevant parties,

Expressing its continued readiness to support the peace process in Nepal in the timely and effective implementation of the Comprehensive Peace Agreement and subsequent agreements, in particular the agreement of 25 June 2008 between the political parties, as requested by the Government of Nepal,

Noting that the deadline for the promulgation of the new democratic constitution of Nepal is 28 May 2010,

Welcoming the recent formation of a high-level political mechanism to focus on the timely promulgation of the new constitution and to bring the ongoing peace process to its logical conclusion,

Echoing the call by the Secretary-General for all parties in Nepal to move forward swiftly in the implementation of the agreements reached, noting the assessment of the Secretary-General that the United Nations Mission in Nepal is well placed to assist in the monitoring of the management of arms and armed personnel in accordance with the agreement of 25 June 2008 between the political parties, and recognizing the ability of the Mission to assist the parties in this, as requested, in order to achieve a durable solution,

Welcoming the report of the Secretary-General of 7 January 2010 on the Mission,[200]

Recalling the completion of the two phases of the verification process, welcoming continuing assistance with the monitoring of the management of arms and armed personnel of both sides in accordance with resolution 1740 (2007) and in line with the provisions of the Comprehensive Peace Agreement, noting the importance of a durable long-term solution in helping to create the conditions for the completion of the activities of the Mission, and noting also in this regard the need to address outstanding issues without further delay,

Welcoming the signing on 16 December 2009 by the Government of Nepal, the Unified Communist Party of Nepal (Maoist) and the United Nations of an action plan for the discharge and rehabilitation process for Maoist army personnel disqualified as minors, and calling upon all political parties to implement this process fully and expeditiously, and for continued reporting on this issue as required under resolutions 1612 (2005) of 26 July 2005 and 1882 (2009) of 4 August 2009,

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[199] S/PRST/2009/12.

[200] S/2010/17.

Recalling that, with the successful holding of the Constituent Assembly elections, some of the elements of the mandate of the Mission as set out in resolution 1740 (2007) have already been accomplished,

Taking note of the letter dated 8 January 2010 from the Government of Nepal to the Secretary-General,[illegible] in which it recognizes the contribution of the Mission and requests an extension of the mandate of the Mission until 15 May 2010,

Recognizing the need to pay special attention to the needs and the role of women, children and traditionally marginalized groups in the peace process, as mentioned in the Comprehensive Peace Agreement and in resolution 1325 (2000) of 31 October 2000,

Recognizing also the need to address impunity, to promote and protect human rights and to strengthen the capacity of independent national human rights institutions in accordance with international principles,

Recognizing further that civil society can play an important role in democratic transitions and conflict prevention,

Expressing its appreciation for the contribution of the Representative of the Secretary-General in Nepal and the efforts of her team in the Mission, and the United Nations country team, including the Office of the United Nations High Commissioner for Human Rights, which is monitoring human rights at the request of the Government of Nepal, and stressing the need for coordination and complementarity of efforts between the Mission and all the United Nations actors in the Mission area, particularly in order to ensure continuity as the mandate comes to an end,

1. *Decides*, in line with the request of the Government of Nepal[illegible] and the recommendations of the Secretary-General, to renew the mandate of the United Nations Mission in Nepal, as established under resolution 1740 (2007), until 15 May 2010, taking into account the completion of some elements of the mandate and the ongoing work on the monitoring of the management of arms and armed personnel in line with the agreement of 25 June 2008 between the political parties, which will support the completion of the peace process;

2. *Calls upon* all parties to take full advantage of the expertise and readiness of the Mission, within its mandate, to support the peace process to facilitate the completion of outstanding aspects of the mandate of the Mission by 15 May 2010;

3. *Decides* that, working with the parties, the Mission should make the necessary arrangements with the Government of Nepal for its withdrawal, including handing over any residual monitoring responsibilities by 15 May 2010;

4. *Welcomes* the recent understanding between the Government of Nepal and the Unified Communist Party of Nepal (Maoist) on having a timetabled action plan for the integration and rehabilitation of Maoist army personnel by 15 May 2010, and calls upon them to work together to ensure the completion and implementation of this plan, with the support of the Special Committee for the supervision, integration and rehabilitation of Maoist army personnel and its Technical Committee;

5. *Calls upon* all political parties in Nepal to expedite the peace process and to work together in a spirit of cooperation, consensus and compromise in order to continue the transition to a durable long-term solution to enable the country to move to a peaceful, democratic and more prosperous future;

6. *Requests* the parties in Nepal to take the steps necessary to promote the safety, security and freedom of movement of Mission and associated personnel in executing the tasks defined in the mandate;

[illegible] S/2010/25, annex.

7. *Requests* the Secretary-General to report to the Security Council by 1 May 2010 on the implementation of the present resolution;

8. *Decides* to remain seized of the matter.

Adopted unanimously at the 6262nd meeting.

Decisions

At its 6308th meeting, on 5 May 2010, the Security Council decided to invite the representative of Nepal to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/920)

"Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2010/214)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Karin Landgren, Representative of the Secretary-General in Nepal and Head of the United Nations Mission in Nepal.

At its 6313th meeting, on 12 May 2010, the Council decided to invite the representative of Nepal to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/920)

"Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2010/214)".

Resolution 1921 (2010)
of 12 May 2010

The Security Council,

Recalling its resolutions 1740 (2007) of 23 January 2007, 1796 (2008) of 23 January 2008, 1825 (2008) of 23 July 2008, 1864 (2009) of 23 January 2009, 1879 (2009) of 23 July 2009 and 1909 (2010) of 21 January 2010 and the statement by its President of 5 May 2009,[161]

Reaffirming the sovereignty, territorial integrity and political independence of Nepal and its ownership of the implementation of the Comprehensive Peace Agreement and subsequent agreements,

Recalling the signing on 21 November 2006 by the Government of Nepal and the Communist Party of Nepal (Maoist) of the Comprehensive Peace Agreement, and the stated commitment of both parties to find a permanent and sustainable peace,

Acknowledging the strong desire of the Nepalese people for peace and the restoration of democracy and the importance in this respect of the implementation of the Comprehensive Peace Agreement and subsequent agreements by the relevant parties,

Expressing its continued readiness to support the peace process in Nepal in the timely and effective implementation of the Comprehensive Peace Agreement and subsequent agreements, in particular the agreement of 25 June 2008 between the political parties, as requested by the Government of Nepal,

Noting that the deadline for the promulgation of the new democratic constitution of Nepal is 28 May 2010, and concerned that, to date, the political parties are yet to reach consensus on the new constitution or on extending the tenure of the Constituent Assembly, *Expressing its concern* at the recent tensions in Nepal, and calling upon all sides to resolve their differences through peaceful negotiation,

Echoing the call by the Secretary-General for all parties in Nepal to move forward swiftly in the implementation of the agreements reached, noting the assessment of the Secretary-General that the United Nations Mission in Nepal is well placed to assist in the monitoring of the management of arms and armed personnel in accordance with the agreement of 25 June 2008 between the political parties, and recognizing the ability of the Mission to assist the parties in this, as requested, in order to achieve a durable solution,

Welcoming the report of the Secretary-General of 28 April 2010 on the Mission,[illegible]

Recalling the completion of the two phases of the verification process, welcoming continuing assistance with the monitoring of the management of arms and armed personnel of both sides in accordance with resolution 1740 (2007) and in line with the provisions of the Comprehensive Peace Agreement, noting the importance of a durable long-term solution in helping to create the conditions for the completion of the activities of the Mission, and noting also in this regard the need to address outstanding issues without further delay,

Welcoming the completion of the discharge process for disqualified Maoist army personnel as agreed in the action plan for the discharge and rehabilitation of Maoist army personnel disqualified as minors agreed between the Government of Nepal, the Unified Communist Party of Nepal (Maoist) and the United Nations on 16 December 2009, and calling upon all parties to continue implementing this action plan, with the appropriate monitoring and reporting activities, in accordance with resolutions 1612 (2005) of 26 July 2005 and 1882 (2009) of 4 August 2009,

Recalling that, with the successful holding of the Constituent Assembly elections, some of the elements of the mandate of the Mission as set out in resolution 1740 (2007) have already been accomplished,

Taking note of the letter dated 5 May 2010 from the Government of Nepal to the Secretary-General,[illegible] in which it recognizes the contribution of the Mission and requests an extension of the mandate of the Mission until 15 September 2010,

Recognizing the need to pay special attention to the needs and the role of women, children and traditionally marginalized groups in the peace process, as mentioned in the Comprehensive Peace Agreement and in resolution 1325 (2000) of 31 October 2000,

Recognizing also the need to address impunity, to promote and protect human rights and to strengthen the capacity of independent national human rights institutions in accordance with international principles,

Recognizing further that civil society can play an important role in democratic transition and conflict prevention,

Expressing its appreciation for the contribution of the Representative of the Secretary-General in Nepal and the efforts of her team in the Mission, and the United Nations country team, including the Office of the United Nations High Commissioner for Human Rights, which is monitoring human rights at the request of the Government of Nepal, and stressing the need for coordination and complementarity of efforts between the Mission and all the United Nations actors in the Mission area, particularly in order to ensure continuity, as the mandate comes to an end,

1. *Decides*, in line with the request of the Government of Nepal[illegible] and the recommendations of the Secretary-General, to renew the mandate of the United Nations Mission in Nepal, as established under resolution 1740 (2007), until 15 September 2010, taking into

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[illegible] S/2010/214.

[illegible] S/2010/229, annex.

account the completion of some elements of the mandate and the ongoing work on the monitoring of the management of arms and armed personnel in line with the agreement of 25 June 2008 between the political parties, which will support the completion of the peace process;

2. *Calls upon* all parties to take full advantage of the expertise and readiness of the Mission, within its mandate, to support the peace process to facilitate the completion of outstanding aspects of the mandate of the Mission by 15 September 2010;

3. *Underlines* the fact that the current arrangements were conceived as temporary measures, rather than long-term solutions, and decides that, working with the parties, the Mission should immediately begin to make the arrangements necessary for its withdrawal, including handing over any residual monitoring responsibilities by 15 September 2010;

4. *Calls upon* the Government of Nepal and the Unified Communist Party of Nepal (Maoist) to agree and implement a timetabled action plan with clear benchmarks for the integration and rehabilitation of Maoist army personnel, with the support of the Special Committee for the supervision, integration and rehabilitation of Maoist army personnel and its Technical Committee;

5. *Calls upon* all political parties in Nepal to expedite the peace process and to work together in a spirit of cooperation, consensus and compromise in order to continue the transition to a durable long-term solution to enable the country to move to a peaceful, democratic and more prosperous future;

6. *Requests* the parties in Nepal to take the steps necessary to promote the safety, security and freedom of movement of Mission and associated personnel in executing the tasks defined in the mandate;

7. *Requests* the Secretary-General to report to the Security Council by 1 September 2010 on the implementation of the present resolution;

8. *Decides* to remain seized of the matter.

Adopted unanimously at the 6311th meeting.

MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY[illegible]

A. Nuclear non-proliferation and nuclear disarmament

Decisions

At its 6191st meeting, on 24 September 2009, the Security Council considered the item entitled:

"Maintenance of international peace and security

"Nuclear non-proliferation and nuclear disarmament".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Mohamed ElBaradei, Director General of the International Atomic Energy Agency.

[illegible] Resolutions or decisions on this question were first adopted by the Security Council in 2007.

Resolution 1887 (2009)
of 24 September 2009

The Security Council,

Resolving to seek a safer world for all and to create the conditions for a world without nuclear weapons, in accordance with the goals of the Treaty on the Non-Proliferation of Nuclear Weapons,[illegible] in a way that promotes international stability, and based on the principle of undiminished security for all,

Reaffirming the statement by its President adopted at its meeting held at the level of Heads of State and Government on 31 January 1992,[illegible] including the need for all Member States to fulfil their obligations in relation to arms control and disarmament and to prevent the proliferation in all its aspects of all weapons of mass destruction,

Recalling that the above statement underlined the need for all Member States to resolve peacefully in accordance with the Charter of the United Nations any problems in that context threatening or disrupting the maintenance of regional and global stability,

Reaffirming that the proliferation of weapons of mass destruction, and their means of delivery, constitutes a threat to international peace and security,

Bearing in mind the responsibilities of other organs of the United Nations and relevant international organizations in the field of disarmament, arms control and non-proliferation, as well as the Conference on Disarmament, and supporting them in continuing to play their due roles,

Underlining that the Treaty remains the cornerstone of the nuclear non-proliferation regime and the essential foundation for the pursuit of nuclear disarmament and for the peaceful uses of nuclear energy,

Reaffirming its firm commitment to the Treaty and its conviction that the international nuclear non-proliferation regime should be maintained and strengthened to ensure its effective implementation, and recalling in this regard the outcomes of past Review Conferences of the Parties to the Treaty, including the final documents of 1995[illegible] and 2000,[illegible]

Calling for further progress on all aspects of disarmament to enhance global security,

Recalling the statement by its President adopted at its meeting held on 19 November 2008,[illegible]

Welcoming the decisions of those non-nuclear-weapon States that have dismantled their nuclear weapons programmes or renounced the possession of nuclear weapons,

Welcoming also the nuclear arms reduction and disarmament efforts undertaken and accomplished by nuclear-weapon States, and underlining the need to pursue further efforts in the sphere of nuclear disarmament, in accordance with article VI of the Treaty,

Welcoming further, in this connection, the decision of the Russian Federation and the United States of America to conduct negotiations to conclude a new comprehensive legally binding agreement to replace the Treaty on the Reduction and Limitation of Strategic Offensive Arms (START I),[illegible] which expires in December 2009,

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[illegible] United Nations, *Treaty Series*, vol. 729, No. 10485.

[illegible] See S/23500.

[illegible] *1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document* (NPT/CONF.1995/32 (Part I-III), (Part I)/Corr.2 and (Part III)/Corr.1).

[illegible] *2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document*, vols. I-III (NPT/CONF.2000/28 (Parts I-IV)).

[illegible] S/PRST/2008/43.

[illegible] *The United Nations Disarmament Yearbook*, vol. 16: 1991 (United Nations publication, Sales No. E.92.IX.1), appendix II.

Welcoming and supporting the steps taken to conclude nuclear-weapon-free zone treaties, and reaffirming the conviction that the establishment of internationally recognized nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned, and in accordance with the Disarmament Commission guidelines of 1999,[illegible] enhances global and regional peace and security, strengthens the nuclear non-proliferation regime and contributes towards realizing the objectives of nuclear disarmament,

Noting its support, in this context, for the convening of the second Conference of States Parties and Signatories to Treaties that Establish Nuclear-Weapon-Free Zones and Mongolia to be held in New York on 30 April 2010,

Reaffirming its resolutions 825 (1993) of 11 May 1993, 1695 (2006) of 15 July 2006, 1718 (2006) of 14 October 2006 and 1874 (2009) of 12 June 2009,

Reaffirming also its resolutions 1696 (2006) of 31 July 2006, 1737 (2006) of 23 December 2006, 1747 (2007) of 24 March 2007, 1803 (2008) of 3 March 2008 and 1835 (2008) of 27 September 2008,

Reaffirming further all other relevant non-proliferation resolutions adopted by the Security Council,

Gravely concerned about the threat of nuclear terrorism, and recognizing the need for all States to take effective measures to prevent nuclear material or technical assistance becoming available to terrorists,

Noting with interest the initiative to convene, in coordination with the International Atomic Energy Agency, an international conference on the peaceful uses of nuclear energy,

Expressing its support for the convening of the Global Summit on Nuclear Security in 2010,

Affirming its support for the Convention on the Physical Protection of Nuclear Material[illegible] and its 2005 Amendment,[illegible] and the International Convention for the Suppression of Acts of Nuclear Terrorism,[illegible]

Recognizing the progress made by the Global Initiative to Combat Nuclear Terrorism and the Global Partnership of the Group of Eight,

Noting the contribution of civil society in promoting all the objectives of the Treaty on the Non-Proliferation of Nuclear Weapons,

Reaffirming its resolution 1540 (2004) of 28 April 2004 and the necessity for all States to implement fully the measures contained therein, and calling upon all Member States and international and regional organizations to cooperate actively with the Security Council Committee established pursuant to that resolution, including in the course of the comprehensive review as called for in resolution 1810 (2008) of 25 April 2008,

1. *Emphasizes* that a situation of non-compliance with non-proliferation obligations shall be brought to the attention of the Security Council, which shall determine if that situation constitutes a threat to international peace and security, and emphasizes the primary responsibility of the Council in addressing such threats;

[illegible] See *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 42* (A/54/42), annex I, sect. C.

[illegible] United Nations, *Treaty Series*, vol. 1456, No. 24631.

[illegible] See International Atomic Energy Agency document GOV/INF/2005/10-GC(49)/INF/6, attachment.

[illegible] United Nations, *Treaty Series*, vol. 2445, No. 44004.

2. *Calls upon* States parties to the Treaty on the Non-Proliferation of Nuclear Weapons[illegible] to comply fully with all their obligations and fulfil their commitments under the Treaty;

3. *Notes* that enjoyment of the benefits of the Treaty by a State party can be assured only by its compliance with the obligations thereunder;

4. *Calls upon* all States that are not parties to the Treaty to accede to the Treaty as non-nuclear-weapon States so as to achieve its universality at an early date and, pending their accession to the Treaty, to adhere to its terms;

5. *Calls upon* the parties to the Treaty, pursuant to article VI of the Treaty, to undertake to pursue negotiations in good faith on effective measures relating to nuclear arms reduction and disarmament, and on a treaty on general and complete disarmament under strict and effective international control, and calls upon all other States to join in this endeavour;

6. *Calls upon* all States parties to the Treaty to cooperate so that the 2010 Review Conference of the Parties to the Treaty can successfully strengthen the Treaty and set realistic and achievable goals in all three pillars of the Treaty, namely, non-proliferation, the peaceful uses of nuclear energy, and disarmament;

7. *Calls upon* all States to refrain from conducting a nuclear test explosion and to sign and ratify the Comprehensive Nuclear-Test-Ban Treaty,[illegible] thereby bringing the Treaty into force at an early date;

8. *Calls upon* the Conference on Disarmament to negotiate a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices as soon as possible, welcomes the adoption by consensus by the Conference of its programme of work in 2009,[illegible] and requests all Member States to cooperate in guiding the Conference to an early commencement of substantive work;

9. *Recalls* the statements made by each of the five nuclear-weapon States,[illegible] noted in resolution 984 (1995) of 11 April 1995, in which they give security assurances against the use of nuclear weapons to non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and affirms that such security assurances strengthen the nuclear non-proliferation regime;

10. *Expresses particular concern* at the current major challenges to the non-proliferation regime that the Council has acted upon, demands that the parties concerned comply fully with their obligations under the relevant Council resolutions, and reaffirms its call upon them to find an early negotiated solution to these issues;

11. *Encourages* efforts to ensure the development of peaceful uses of nuclear energy by countries seeking to maintain or develop their capacities in this field within a framework that reduces proliferation risk and adheres to the highest international standards for safeguards, security and safety;

12. *Underlines* that the Treaty recognizes in article IV the inalienable right of the parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II, and recalls in this context article III of the Treaty and article II of the statute of the International Atomic Energy Agency;[illegible]

13. *Calls upon* States to adopt stricter national controls for the export of sensitive goods and technologies of the nuclear fuel cycle;

[illegible] See General Assembly resolution 50/245.

[illegible] See CD/1864.

[illegible] See S/1995/261–265.

[illegible] United Nations, *Treaty Series*, vol. 276, No. 3988.

14. *Encourages* the work of the International Atomic Energy Agency on multilateral approaches to the nuclear fuel cycle, including assurances of nuclear fuel supply and related measures, as effective means of addressing the expanding need for nuclear fuel and nuclear fuel services and minimizing the risk of proliferation, and urges the Board of Governors of the Agency to agree upon measures to this end as soon as possible;

15. *Affirms* that effective Agency safeguards are essential to prevent nuclear proliferation and to facilitate cooperation in the field of peaceful uses of nuclear energy, and in that regard:

(*a*) Calls upon all non-nuclear-weapon States parties to the Treaty that have yet to bring into force a comprehensive safeguards agreement or a modified small quantities protocol to do so immediately;

(*b*) Calls upon all States to sign, ratify and implement an additional protocol, which, together with comprehensive safeguards agreements, constitute essential elements of the Agency safeguards system;

(*c*) Stresses the importance for all Member States to ensure that the Agency continues to have all the resources and authority necessary to verify the declared use of nuclear materials and facilities and the absence of undeclared activities, and for the Agency to report to the Council accordingly, as appropriate;

16. *Encourages* States to provide the Agency with the cooperation necessary for it to verify whether a State is in compliance with its safeguards obligations, and affirms the resolve of the Council to support the efforts of the Agency to that end, consistent with its authorities under the Charter of the United Nations;

17. *Undertakes* to address without delay any State's notice of withdrawal from the Treaty, including the events described in the statement provided by the State pursuant to article X of the Treaty, while noting ongoing discussions in the course of the review of the Treaty on identifying modalities under which States parties to the Treaty could collectively respond to notification of withdrawal, and affirms that a State remains responsible under international law for violations of the Treaty committed prior to its withdrawal;

18. *Encourages* States to require as a condition of nuclear exports that the recipient State agree that, in the event that it should terminate, withdraw from, or be found by the Board of Governors of the Agency to be in non-compliance with its safeguards agreement, the supplier State would have the right to require the return of nuclear material and equipment provided prior to such termination, non-compliance or withdrawal, as well as any special nuclear material produced through the use of such material or equipment;

19. *Also encourages* States to consider whether a recipient State has signed and ratified an additional protocol based on the Model Additional Protocol[311] in making nuclear export decisions;

20. *Urges* States to require as a condition of nuclear exports that the recipient State agree that, in the event that it should terminate its safeguards agreement with the Agency, safeguards shall continue with respect to any nuclear material and equipment provided prior to such termination, as well as any special nuclear material produced through the use of such material or equipment;

21. *Calls for* universal adherence to the Convention on the Physical Protection of Nuclear Material[308] and its 2005 Amendment,[309] and the International Convention for the Suppression of Acts of Nuclear Terrorism;[310]

22. *Welcomes* the March 2009 recommendations of the Security Council Committee established pursuant to resolution 1540 (2004) to make more effective use of existing funding

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[311] International Atomic Energy Agency, document INFCIRC/540 (Corrected).

mechanisms, including the consideration of the establishment of a voluntary fund, and affirms its commitment to promote full implementation of resolution 1540 (2004) by Member States by ensuring effective and sustainable support for the activities of the Committee;

23. *Reaffirms* the need for full implementation of resolution 1540 (2004) by Member States and, with the aim of preventing access to, or assistance and financing for, weapons of mass destruction, related materials and their means of delivery by non-State actors, as defined in that resolution, calls upon Member States to cooperate actively with the Committee and the Agency, including rendering assistance, at their request, for their implementation of resolution 1540 (2004) provisions, and in this context welcomes the forthcoming comprehensive review of the status of implementation of resolution 1540 (2004) with a view to increasing its effectiveness, and calls upon all States to participate actively in this review;

24. *Calls upon* Member States to share best practices with a view to improved safety standards and nuclear security practices and raise standards of nuclear security to reduce the risk of nuclear terrorism, with the aim of securing all vulnerable nuclear material from such risks within four years;

25. *Calls upon* all States to manage responsibly and minimize to the greatest extent that is technically and economically feasible the use of highly enriched uranium for civilian purposes, including by working to convert research reactors and radioisotope production processes to the use of low enriched uranium fuels and targets;

26. *Also calls upon* all States to improve their national capabilities to detect, deter and disrupt illicit trafficking in nuclear materials throughout their territories, and calls upon those States in a position to do so to work to enhance international partnerships and capacity-building in this regard;

27. *Urges* all States to take all appropriate national measures in accordance with their national authorities and legislation, and consistent with international law, to prevent proliferation financing and shipments, to strengthen export controls, to secure sensitive materials and to control access to intangible transfers of technology;

28. *Declares its resolve* to monitor closely any situations involving the proliferation of nuclear weapons, their means of delivery or related material, including to or by non-State actors as they are defined in resolution 1540 (2004) and, as appropriate, to take such measures as may be necessary to ensure the maintenance of international peace and security;

29. *Decides* to remain seized of the matter.

Adopted unanimously at the 6191st meeting.

B. Intercultural dialogue for peace and security

Decision

At its 6322nd meeting, on 26 May 2010, the Security Council considered the item entitled:

"Maintenance of international peace and security

"Intercultural dialogue for peace and security

"Letter dated 19 May 2010 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General (S/2010/248)".

C. Optimizing the use of preventive diplomacy tools: prospects and challenges in Africa

Decisions

At its 6360th meeting, on 16 July 2010, the Security Council decided to invite the representatives of Algeria, Australia, Benin, Botswana, Burkina Faso, Canada, Egypt, the Gambia, Germany, Ghana, Kenya, Morocco, Pakistan, the Republic of Korea, Senegal, Sierra Leone, South Africa (Minister for International Relations and Cooperation) and the United Republic of Tanzania to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "Maintenance of international peace and security
>
> > "Optimizing the use of preventive diplomacy tools: prospects and challenges in Africa
> >
> > "Letter dated 9 July 2010 from the Permanent Representative of Nigeria to the United Nations addressed to the Secretary-General (S/2010/371)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Sarah Cliffe, Special Representative and Director for the World Development Report on Conflict, Security and Development of the World Bank.

At the same meeting, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Pedro Serrano, Acting Head of the Delegation of the European Union to the United Nations, in response to his request dated 13 July 2010.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[illegible]

> "The Security Council reaffirms its primary responsibility for the maintenance of international peace and security in accordance with the Charter of the United Nations. The Council recalls Articles 33 and 34 of the Charter and reaffirms its commitment to the settlement of disputes by peaceful means and the promotion of necessary preventive action in response to disputes or situations, the continuation of which is likely to endanger the maintenance of international peace and security.
>
> "The Council recalls that the prevention of conflict remains a primary responsibility of Member States. As such, actions undertaken by United Nations entities within the framework of conflict prevention must be designed to support and complement, as appropriate, the conflict prevention roles of national Governments.
>
> "The Council notes that, consistent with its functions in relation to international peace and security, it seeks to remain engaged in all stages of the conflict cycle and in exploring ways of preventing the escalation of disputes into armed conflict or a relapse into armed conflict, and recalls that, in accordance with Articles 99 and 35 of the Charter, the Secretary-General or any Member State may bring to the attention of the Council any matter which is likely to endanger the maintenance of international peace and security.
>
> "The Council recalls that early warning, preventive diplomacy, preventive deployment, mediation, practical disarmament measures and post-conflict peacebuilding are interdependent and complementary components of a comprehensive conflict prevention strategy. The Council notes the importance of creating and maintaining peace through inclusive dialogue, reconciliation and reintegration.
>
> "The Council reaffirms the important role of women in the prevention and resolution of conflicts and in peacebuilding, and reiterates its call to increase the equal participation, representation and full involvement of women in preventive diplomacy efforts and all related decision-making processes with regard to conflict resolution and peacebuilding, in line with resolutions 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009).
>
> "The Council recognizes the importance of a comprehensive strategy comprising operational and structural measures for the prevention of armed conflict, and encourages the

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[illegible] S/PRST/2010/14.

development of measures to address the root causes of conflicts in order to ensure sustainable peace. The Council reaffirms the central role of the United Nations in this regard.

"The Council recalls the previous statements by its President concerning the various factors and causes that play a role in inciting, worsening or prolonging conflicts in Africa and, in particular, the factors and causes that have been highlighted and addressed by the Council. The Council also notes that, especially in the context of Africa, implementation of effective security sector reform programmes, strengthening of human rights and the rule of law, protection of civilians, ensuring accountability, meaningful progress in sustainable economic development and poverty eradication, support for elections and the building of democratic institutions and effective control of small arms, inter alia, have become important elements of conflict prevention.

"The Council also recognizes the increased material, human and financial resources required by peacekeeping operations over the last decade. Accordingly, the Council acknowledges the potential benefits and efficiencies that could be achieved through an integrated approach to preventive diplomacy efforts similar to the approach to peacekeeping and peacebuilding methods, which underscores the interrelationship between political, security, development, human rights and rule of law activities.

"The Council encourages the development of peaceful settlement of local disputes through regional arrangements in accordance with Chapter VIII of the Charter and reiterates its support for the efforts of regional and subregional organizations, in particular the African Union, the Economic Community of West African States, the Southern African Development Community, the East African Community, the Intergovernmental Authority on Development and the Economic Community of Central African States, as regards conflict prevention. The Council acknowledges the need for closer and more operational cooperation between the United Nations and regional and subregional organizations in Africa to build national and regional capacities in relation to the preventive diplomacy tools of mediation, information-gathering and analysis, early warning, prevention and peacemaking, and in this context the Council recognizes the important role that regional United Nations offices, such as the United Nations Office for West Africa, can play and stresses the valuable contribution of mediation capacities such as the Council of Elders, the Panel of the Wise and the good offices of the Secretary-General and his special envoys, and of regional and subregional organizations, to ensuring the coherence, synergy and collective effectiveness of their efforts.

"The Security Council underlines the importance of continually engaging the potential and existing capacities and capabilities of the United Nations Secretariat, regional and subregional organizations as well as national Governments in preventive diplomacy efforts, including mediation, and welcomes the promotion of regional approaches to the peaceful settlement of disputes.

"The Council further reiterates its support for the work of the Peacebuilding Commission and recognizes the need for greater coordination with the Commission. The Council further recognizes the need for greater coherence with all relevant United Nations entities in relation to the most effective use of preventive diplomacy tools at their disposal. The Council recognizes the important role of the United Nations Integrated Peacebuilding Offices in supporting national efforts to prevent conflicts and in addressing cross-border threats. The Council also recognizes the value that the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa continues to add to the process of embedding preventive diplomacy practices into the conflict management architecture of the Organization. In this connection, the Council recalls the role of the Special Adviser to the Secretary-General on the Prevention of Genocide in matters relating to the prevention and resolution of conflict. The Council emphasizes the need for the full engagement of all relevant actors, including civil society, to sustain the momentum and perspective for a meaningful preventive diplomacy framework.

"The Council recognizes the importance of enhancing efforts, including coordination among relevant bilateral and multilateral donors, to ensure predictable, coherent and timely financial support to optimize the use of preventive diplomacy tools, including mediation, throughout the conflict cycle.

"The Council requests the Secretary-General to submit, within twelve months of the adoption of the present statement, a report containing recommendations on how best to optimize the use of preventive diplomacy tools within the United Nations system and in cooperation with regional and subregional organizations and other actors."

THE SITUATION IN CHAD, THE CENTRAL AFRICAN REPUBLIC AND THE SUBREGION[417]

Decisions

At its 6204th meeting, on 22 October 2009, the Security Council considered the item entitled:

"The situation in Chad, the Central African Republic and the subregion

"Report of the Secretary-General on the United Nations Mission in the Central African Republic and Chad (S/2009/535)"

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Edmond Mulet, Assistant Secretary-General for Peacekeeping Operations.

At its 6283rd meeting, on 12 March 2010, the Council decided to invite the representatives of the Central African Republic and Chad to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "The situation in Chad, the Central African Republic and the subregion".

Resolution 1913 (2010)
of 12 March 2010

The Security Council,

Recalling its resolutions and the statements by its President concerning Chad, the Central African Republic and the subregion, including resolutions 1769 (2007) of 31 July 2007, 1778 (2007) of 25 September 2007, 1834 (2008) of 24 September 2008 and 1861 (2009) of 14 January 2009,

Considering the note verbale of the Government of Chad of 19 January 2010, its letter dated 3 March 2010[418] and the letter of the Secretary-General dated 11 March 2010,[419] indicating that discussions on the future of the United Nations Mission in the Central African Republic and Chad are still ongoing,

Determining that the situation in the region continues to constitute a threat to international peace and security,

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[417] Resolutions or decisions on this question were first adopted by the Security Council in 2007.

[418] S/2010/115.

[419] S/2010/129.

1. *Decides* to extend until 15 May 2010 the mandate of the United Nations Mission in the Central African Republic and Chad as set out in resolution 1861 (2009);

2. *Decides also* to remain actively seized of the matter.

Adopted unanimously at the 6283rd meeting.

Decision

At its 6312th meeting, on 12 May 2010, the Security Council decided to invite the representative of the Central African Republic to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Chad, the Central African Republic and the subregion

> "Report of the Secretary-General on the United Nations Mission in the Central African Republic and Chad (S/2010/217)".

Resolution 1922 (2010)
of 12 May 2010

The Security Council,

Recalling its resolutions and the statements by its President concerning Chad, the Central African Republic and the subregion, including resolutions 1769 (2007) of 31 July 2007, 1778 (2007) of 25 September 2007, 1834 (2008) of 24 September 2008, 1861 (2009) of 14 January 2009 and 1913 (2010) of 12 March 2010,

Considering the need to examine thoroughly the recommendations for a revised mandate of the United Nations Mission in the Central African Republic and Chad included in the report of the Secretary-General of 29 April 2010,[57]

Determining that the situation in the region continues to constitute a threat to international peace and security,

1. *Decides* to extend until 26 May 2010 the mandate of the United Nations Mission in the Central African Republic and Chad as set out in resolution 1861 (2009) and extended by resolution 1913 (2010);

2. *Decides also* to remain actively seized of the matter.

Adopted unanimously at the 6312th meeting.

Decision

At its 6321st meeting, on 25 May 2010, the Security Council decided to invite the representative of Chad to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"The situation in Chad, the Central African Republic and the subregion

> "Report of the Secretary-General on the United Nations Mission in the Central African Republic and Chad (S/2010/217)".

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[57] S/2010/217.

Resolution 1923 (2010)
of 25 May 2010

The Security Council,

Recalling its resolutions and the statements by its President concerning Chad, the Central African Republic and the subregion, including resolutions 1769 (2007) of 31 July 2007, 1778 (2007) of 25 September 2007, 1834 (2008) of 24 September 2008, 1861 (2009) of 14 January 2009, 1913 (2010) of 12 March 2010 and 1922 (2010) of 12 May 2010,

Reaffirming its commitment to the sovereignty, unity, territorial integrity and political independence of Chad and the Central African Republic, and to the cause of peace in the region,

Reiterating its concern at the humanitarian and security repercussions in eastern Chad and the north-eastern Central African Republic of the ongoing violence in Darfur,

Concerned at armed activities and banditry in eastern Chad, the north-eastern Central African Republic and western Sudan, which threaten the security of the civilian population, the conduct of humanitarian operations in those areas and the stability of those countries, and which result in serious violations of human rights and international humanitarian law,

Welcoming the signing on 15 January 2010 by the Governments of Chad and the Sudan of an agreement to normalize their bilateral relations, as well as the deployment by the Governments of Chad and the Sudan of a joint force under a joint command along their common border with a view to denying the cross-border movement of armed elements and stemming their criminal activities,

Stressing that a proper settlement of the Darfur issue, including through the Doha peace process, the full implementation of the Sirte and Libreville agreements and the efforts at national political dialogue in Chad and the Central African Republic, will contribute to long-term peace and stability in the region and to the voluntary, secure and sustainable return of refugees and internally displaced persons,

Stressing also the importance of achieving dignified durable solutions for refugees and internally displaced persons, notably voluntary, safe, orderly return and sustainable reintegration,

Reiterating its full support for the efforts of the Secretary-General, the African Union and other international and regional actors to find solutions to the armed conflicts in the region,

Reaffirming its resolutions 1325 (2000) of 31 October 2000, 1820 (2008) of 19 June 2008, 1888 (2009) of 30 September 2009 and 1889 (2009) of 5 October 2009 on women and peace and security, its resolution 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel and its resolutions 1674 (2006) of 28 April 2006 and 1894 (2009) of 11 November 2009 on the protection of civilians in armed conflict,

Reaffirming also its resolutions 1612 (2005) of 26 July 2005 and 1882 (2009) of 4 August 2009 on children and armed conflict, taking note of the reports of the Secretary-General on children and armed conflict in Chad[421] and in the Central African Republic[422] and the recommendations contained therein, and recalling the conclusions adopted by the Security Council Working Group on Children and Armed Conflict on children and armed conflict in Chad[423] and in the Central African Republic,[424] as approved by the Council,

Stressing that the Governments of Chad and the Central African Republic bear primary responsibility for ensuring the security of civilians in their territories, with respect for the rule of law, international law, human rights and international humanitarian law,

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[421] S/2008/532.

[422] S/2009/66.

[423] S/AC.51/2008/15.

[424] S/AC.51/2009/2.

Bearing in mind the Convention relating to the Status of Refugees of 28 July 1951[125] and the Protocol thereto of 31 January 1967,[126] along with the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 10 September 1969,[127] as well as the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa of 23 October 2009,[128]

Emphasizing the need to respect international refugee law, preserve the civilian and humanitarian nature of refugee camps and internally displaced persons sites and prevent any recruitment of individuals, including women and children, which might be carried out in or around camps and sites by armed groups,

Commending the creation by the Government of Chad, with the logistical, administrative and technical support of the United Nations Mission in the Central African Republic and Chad, of the Détachement intégré de sécurité to contribute to the security of refugees and humanitarian workers in key towns, refugee camps and internally displaced persons sites, and noting that the Détachement intégré de sécurité provides community policing in these sites and escorts for United Nations personnel and humanitarian workers,

Recognizing the responsibility of the Chadian National Army for border security and external threats and of the Gendarmerie and the Nomad National Guard for area security in eastern Chad,

Taking note of the fact that the Government of Chad informed the Secretary-General, through a note verbale dated 15 January 2010, that it wished the Mission to withdraw from Chad as of 15 March 2010, and of the letter dated 3 March 2010 from the Permanent Representative of Chad to the United Nations informing the President of the Security Council of his Government's reconsideration of its earlier request,[illegible] as well as the consultations conducted between 15 January and 23 April 2010 between the Government of Chad and the Secretariat,

Emphasizing the need for the orderly reduction of the military component of the Mission and the continuation of the consolidation of the Détachement intégré de sécurité, of judicial and penal systems, of human rights protection and of local conflict resolution mechanisms while laying the foundation for their sustainability following the termination of the mandate of the Mission,

Having examined the report of the Secretary-General of 29 April 2010[129] and the recommendations contained therein for the modalities of the future presence of the Mission,

Determining that the situation in the region of the border between the Sudan, Chad and the Central African Republic constitutes a threat to international peace and security,

1. *Decides* to extend the mandate of the United Nations Mission in the Central African Republic and Chad until 31 December 2010;

2. *Takes note* of the commitment of the Government of Chad, as recalled in the letter dated 21 May 2010 from the Permanent Representative of Chad to the United Nations addressed to the President of the Security Council,[illegible] to assume full responsibility for the security and protection of the civilian population in eastern Chad, including refugees, internally displaced persons, returnees and host communities, with a particular focus on women and children, and United Nations and humanitarian personnel and assets, in accordance with its obligations under

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[125] United Nations, *Treaty Series*, vol. 189, No. 2545.

[126] Ibid., vol. 606, No. 8791.

[127] Ibid., vol. 1001, No. 14691.

[128] Available from www.africa-union.org.

[129] S/2010/250.

international humanitarian, human rights and refugee law, and underscores that in so doing, the Government commits itself to carrying out the following tasks:

(i) To ensure the security and protection of civilians in danger, particularly refugees and internally displaced persons;

(ii) To facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel by improving security in eastern Chad;

(iii) To ensure the security and freedom of movement of Mission staff and United Nations and associated personnel;

3. *Notes* that, in this context, the Government of Chad commits itself to working towards the achievement of the following benchmarks related to the protection of civilians and humanitarian workers, in accordance with international humanitarian law, as outlined in resolution 1861 (2009):

(i) Voluntary return and resettlement in secure and sustainable conditions of internally displaced persons;

(ii) Demilitarization of refugee and internally displaced persons camps as evidenced by a decrease in arms, violence and human rights abuses;

(iii) Improvement in the capacity of Chadian authorities in eastern Chad, including national law enforcement agencies, the judiciary and the prison system, to provide the necessary security for refugees, internally displaced persons, civilians and humanitarian workers with respect for international human rights standards;

4. *Requests* the Government of Chad and the Secretary-General to establish a joint Government of Chad-United Nations High-level Working Group to assess on a monthly basis the situation on the ground with respect to the protection of civilians, the measures adopted by the Government to implement the tasks set out in paragraph 2 above and to progress towards meeting the benchmarks set out in paragraph 3 above, and the capacity of the Détachement intégré de sécurité to provide security inside and around refugee camps and internally displaced persons sites, security escorts and area security, in coordination with the Gendarmerie and the Nomad National Guard;

5. *Acknowledges* the commitment of the Government of Chad to submit to the Council by 31 July 2010 the plan that it is preparing to ensure the sustainment of the Détachement intégré de sécurité, post-Mission, working, as necessary, through the joint High-level Working Group;

6. *Decides* that the military component of the Mission shall be reduced to 2,200 military personnel (1,900 in Chad and 300 in the Central African Republic) and 25 military liaison officers, and further decides that the Mission shall include a maximum of 300 police officers and an appropriate number of civilian personnel;

7. *Calls upon* the Secretary-General to implement the initial withdrawal of the exceeding number of troops by 15 July 2010 and the final withdrawal of the remaining troops beginning on 15 October 2010, and further calls upon the Secretary-General to complete the withdrawal of all uniformed and civilian Mission components, other than those required for the liquidation of the Mission, by 31 December 2010;

8. *Decides* that the Mission shall have the following mandate in eastern Chad and the north-eastern Central African Republic, in liaison with the United Nations country team and, as appropriate, in liaison with the United Nations Integrated Peacebuilding Office in the Central African Republic and without prejudice to the mandate of the Office:

(i) To select, mentor, monitor, train, advise and facilitate support to elements of the Chadian Détachement intégré de sécurité;

(ii) To liaise with the Government of Chad and the Office of the United Nations High Commissioner for Refugees in support of their efforts to relocate refugee camps which are in close proximity to the border, and to provide to the Office of the High Commissioner, on availability and on a cost-reimbursable basis, logistical assistance for that purpose;

(iii) To liaise with the national army, the gendarmerie and police forces, the Nomad National Guard, the judicial authorities and prison officials in Chad and the Central African Republic, the Government of the Sudan, the United Nations Mission in the Sudan, the African Union-United Nations Hybrid Operation in Darfur, the United Nations Integrated Peacebuilding Office in the Central African Republic, the multinational force of the Economic Community of Central African States in the Central African Republic and the Community of Sahel-Saharan States to exchange information on banditry, criminality and emerging threats to humanitarian activities in the region;

(iv) To support the initiatives of national and local authorities in Chad to resolve local tensions and promote local reconciliation efforts, in order to enhance the environment for the return of internally displaced persons;

(v) To contribute to the monitoring and to the promotion and protection of human rights in Chad, with particular attention to sexual and gender-based violence, and to recommend action to the competent authorities, with a view to fighting impunity;

(vi) To support, within its capabilities, efforts aimed at strengthening the capacity of the Government of Chad and civil society through training in international human rights standards, and efforts to put an end to the recruitment and use of children by armed groups;

(vii) To assist the Government of Chad in the promotion of the rule of law, including through support for an independent judiciary and a strengthened legal system, in close coordination with United Nations agencies;

9. *Decides also* that, until the start of the final withdrawal of its military personnel on 15 October 2010, the Mission shall be authorized to fulfil the following functions within its capabilities and its area of operations in eastern Chad, in liaison with the Government of Chad:

(i) To provide security for United Nations personnel, facilities, installations and equipment and associated personnel;

(ii) To maintain situational awareness in the vicinity of Mission locations;

(iii) To provide escorts for United Nations military personnel carrying out enabling support functions;

(iv) To execute operations of a limited character in order to extract United Nations personnel and humanitarian workers in danger;

(v) To provide medical evacuation support for United Nations personnel;

10. *Decides further* that, without prejudice to paragraph 2 above, the Mission, acting within its means and capabilities and, where possible, in consultation with the Government of Chad, shall be authorized to respond to imminent threats of violence to civilians in its immediate vicinity;

11. *Decides* that, until the start of the final withdrawal of its military personnel on 15 October 2010, the Mission shall be authorized to fulfil the following functions within its capabilities and its area of operations in the north-eastern Central African Republic through its military presence in Birao and in liaison with the Government of the Central African Republic:

(i) To contribute to the creation of a more secure environment;

(ii) To execute operations of a limited character in order to extract United Nations personnel and humanitarian workers in danger;

(iii) To protect United Nations personnel, facilities, installations and equipment and to ensure the security and freedom of movement of its staff and United Nations and associated personnel;

12. *Notes* that the Mission will continue to support the Detachement integre de securite, in accordance with paragraphs 64 to 66 of the report of the Secretary-General,[400] and the commitment by the Government of Chad to take full ownership of the Detachement integre de securite;

13. *Welcomes* the intention of the Government of Chad and the United Nations to establish a forum to foster dialogue and collaboration with a view to reaching a common understanding of roles and responsibilities on issues relating to the protection of civilians, humanitarian access, and safety and security arrangements of humanitarian actors and in order to impact positively on humanitarian and early recovery initiatives;

14. *Takes note* of the letter dated 21 May 2010 from the Permanent Representative of Chad to the United Nations, which recalls the commitment of Chad to sustain the Detachement integre de securité, and in this context requests the Mission to initiate the construction of the infrastructure referred to in paragraphs 71 and 79 of the report of the Secretary-General, with the expectation that the plan referred in paragraph 5 above will provide adequate assurances that the investments being made in the Détachement integre de securité will be sustained post-Mission;

15. *Requests* the Secretary-General and the Governments of Chad and the Central African Republic to cooperate closely throughout the period of deployment of the Mission, and requests the Government of Chad to fully respect all provisions of the agreement on the status of the Mission of 21 March 2008 and the amendment thereto, of 15 October 2009, and, in particular, to ensure the full freedom of movement of the Mission, its members and its contractors as well as of their vehicles and aircraft, and to grant exemptions from all taxes, fees, charges and other duties as provided for under the agreement and the amendment, for the whole duration of the mandate of the Mission but also until its liquidation and the final departure of all its military and civilian personnel from Chad;

16. *Urges* all Member States, particularly the States bordering Chad and the Central African Republic, to facilitate during the above-mentioned period the withdrawal from Chad and the Central African Republic, without obstacles or delay, of all personnel, equipment, provisions, supplies and other goods, including vehicles, aircraft and spare parts, of the Mission;

17. *Underscores* the importance of the military concept of operations and rules of engagement being updated and fully in line with the provisions of the present resolution, and requests the Secretary-General to report on them to the Council and troop-contributing countries;

18. *Encourages* the donor community to sustain its efforts to address the humanitarian, reconstruction and development needs of Chad and the Central African Republic;

19. *Encourages* the respective Governments of the Sudan, Chad and the Central African Republic to ensure that their territories are not used to undermine the sovereignty of others, and to cooperate with a view to putting an end to the activities of armed groups in the region;

20. *Welcomes* the N'Djamena agreement of 15 January 2010 on the normalization of relations between the Sudan and Chad and previous related agreements and encourages active cooperation for their continued implementation, encourages the Government of Chad to continue talks with the armed groups, demands that armed groups cease violence immediately, and urges all parties in Chad and the Central African Republic, respectively, to respect and implement the Sirte agreement of 25 October 2007 and the comprehensive peace agreement signed at Libreville on 21 June 2008;

21. *Encourages* the authorities and political stakeholders in Chad and the Central African Republic to continue to pursue their efforts at national dialogue, with respect for their constitutional frameworks and especially:

(i) Emphasizes the importance of the political agreement for the reinforcement of the democratic process in Chad signed at N'Djamena on 13 August 2007, encourages the parties to continue with its implementation, and welcomes the electoral timetable published by the Independent National Electoral Commission;

(ii) Calls upon the Government and all political stakeholders of the Central African Republic to further implement the outcome of the inclusive political dialogue of December 2008, including by successfully completing the disarmament, demobilization and reintegration process, and stresses the need for a clear electoral timetable;

22. *Reaffirms* the obligation of all parties to implement fully the rules and principles of international humanitarian law, particularly those regarding the protection of humanitarian personnel, and furthermore requests all the parties involved to provide humanitarian personnel with immediate, free and unimpeded access to all persons in need of assistance, in accordance with applicable international law;

23. *Encourages* the Mission and the United Nations country team to continue to assist the Government of Chad to prevent the recruitment of refugees and children by armed groups and to maintain the civilian nature of refugee camps and internally displaced persons sites, in coordination with the Détachement intégré de sécurité and the humanitarian community;

24. *Takes note* of the measures already undertaken by the authorities of Chad to put an end to the recruitment and use of children by armed groups, encourages them to pursue their cooperation with United Nations bodies in this regard, particularly the United Nations Children's Fund, and calls upon all the parties involved to ensure that children are protected;

25. *Requests* the Secretary-General to continue to keep the Council regularly informed, and requests him to provide reports by 31 July, 15 October and 15 December 2010 on the security and humanitarian situation, including movements of refugees and internally displaced persons in eastern Chad and the north-eastern Central African Republic, on the progress in the implementation of the relevant agreements, on the progress towards the fulfilment by the Government of Chad of the tasks and benchmarks set out in paragraphs 2 and 3 above, including on the measures adopted in response to possible shortcomings identified by the joint High-level Working Group referred to in paragraph 4 above, and on the implementation of the mandate of the Mission, and stresses that it will monitor closely the relevance of the mandate of the Mission and review it if necessary;

26. *Also requests* the Secretary-General in his July report to provide an assessment on international and regional options for the Central African Republic, based on his evaluation of the consequences of the departure of the Mission;

27. *Further requests* the Secretary-General to provide an assessment in his December report on lessons learned in the context of the Mission;

28. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 6321st meeting.

Decision

On 8 June 2010, the President of the Security Council addressed the following letter to the Secretary-General:[410]

> "I have the honour to inform you that your letter dated 3 June 2010 concerning your intention to appoint Mr. Youssef Mahmoud, of Tunisia, as your Special Representative for the Central African Republic and Chad and Head of the United Nations Mission in the Central African Republic and Chad[411] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[410] S/2010/293.

[411] S/2010/292.

PEACE AND SECURITY IN AFRICA[117]

A. General issues

Decisions

At its 6206th meeting, on 26 October 2009, the Security Council decided to invite the representatives of Brazil, Nigeria, South Africa, Sweden and Tunisia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Peace and security in Africa

> "Report of the Secretary-General on support to African Union peacekeeping operations authorized by the United Nations (S/2009/470)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Romano Prodi.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Alain Le Roy, Under-Secretary-General for Peacekeeping Operations, and Ms. Susana Malcorra, Under-Secretary-General for Field Support.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Tete Antonio, Acting Permanent Observer of the African Union to the United Nations.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[118]

> "The Security Council recalls its previous relevant resolutions and the statements by its President which underscore the importance of developing effective partnerships between the United Nations and regional organizations, in particular the African Union, in accordance with the Charter of the United Nations and the relevant statutes of the regional organizations.
>
> "The Council reiterates its primary responsibility under the Charter for the maintenance of international peace and security, and recalls that cooperation with regional and subregional organizations in matters relating to the maintenance of international peace and security, and consistent with Chapter VIII of the Charter, can improve collective security.
>
> "The Council welcomes the continuing important efforts and enhanced peacekeeping role of the African Union and its subregional organizations, consistent with Council resolutions and decisions, to prevent, mediate and settle conflicts on the African continent.
>
> "The Council reaffirms its resolution 1809 (2008), in which it recognizes the need to enhance the predictability, sustainability and flexibility of financing for regional organizations when they undertake peacekeeping under United Nations authorization.
>
> "The Council reiterates that regional organizations have the responsibility to secure human, financial, logistical and other resources for their organizations, including through contributions by their members and support from donors. The Council commends the support extended by donors to the African Peace and Security Architecture through specific mechanisms, including the African Peace Facility.

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[117] Resolutions or decisions on this question were first adopted by the Security Council in 2007.

[118] S/PRST/2009/26.

"The Council recalls the statement by its President of 18 March 2009,[434] in which it requested the Secretary-General to submit a report on practical ways to provide effective support for the African Union when it undertakes peacekeeping operations authorized by the United Nations, that includes a detailed assessment of the recommendations contained in the report of the African Union-United Nations panel on modalities for support to African Union peacekeeping operations,[435] in particular those on financing, as well as on the establishment of a joint African Union-United Nations team. The Council notes that the aforementioned report is an important contribution to the overall efforts to enhance the capacity of the African Union in undertaking peacekeeping operations.

"The Council takes note with appreciation of the report of the Secretary-General on support to African Union peacekeeping operations authorized by the United Nations.[436]

"The Council reiterates the importance of establishing a more effective strategic relationship between the United Nations Security Council and the African Union Peace and Security Council and between the United Nations Secretariat and the African Union Commission. The Security Council encourages further enhancement of regular interaction, coordination and consultation between the United Nations and the African Union on matters of mutual interest. The Council notes the ongoing efforts of the Secretariat and the Commission in this regard.

"The Council underlines the importance of expediting the implementation, in close consultation with other international partners, of the 2006 United Nations-African Union Ten-Year Capacity-Building Programme for the African Union focusing mainly on peace and security, in particular the operationalization of the African Standby Force and the Continental Early Warning System. The Council supports the ongoing efforts to strengthen the African Peace and Security Architecture and reiterates its call for the international community, particularly donors, to fulfil their commitments as endorsed in the 2005 World Summit Outcome.[437]

"The Council recognizes that, in deploying peacekeeping operations authorized by the Council, the African Union is contributing towards the maintenance of international peace and security, in a manner consistent with the provisions of Chapter VIII of the Charter.

"The Council notes the assessment of the options for financing African Union peacekeeping operations authorized by the Council outlined in the report of the Secretary-General and expresses its intention to keep all options under consideration.

"The Council notes that the African Union needs to enhance its institutional capacity to enable it to effectively plan, manage and deploy peacekeeping operations. The Council, in this regard, calls upon the African Union, in the context of developing its Strategic Plan for 2009–2012, to develop a long-term, comprehensive capacity-building road map in consultation with the United Nations and other international partners.

"The Council underlines the need for the United Nations and the African Union to study the lessons learned from the light and heavy support packages for the African Union Mission in the Sudan, the logistics package for the African Union Mission in Somalia, as well as collaboration relating to the African Union-United Nations Hybrid Operation in Darfur and the United Nations Support Office for the African Union Mission in Somalia in close consultation with other international partners.

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[434] S/PRST/2009/3.

[435] See S/2008/813.

[436] S/2009/470.

[437] See General Assembly resolution 60/1.

"The Council welcomes the intention of the United Nations Secretariat and the African Union Commission to set up a joint task force on peace and security to review immediate and long-term strategic and operational issues.

"The Council requests the Secretary-General to update the Council by 26 April 2010 and to submit a progress report no later than 26 October 2010."

B. Djibouti and Eritrea

Decision

At its 6254th meeting, on 23 December 2009, the Security Council decided to invite the representatives of Djibouti, Ethiopia and Somalia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "Peace and security in Africa".

Resolution 1907 (2009)
of 23 December 2009

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the situation in Somalia and the border dispute between Djibouti and Eritrea, in particular resolutions 751 (1992) of 24 April 1992, 1844 (2008) of 20 November 2008 and 1862 (2009) of 14 January 2009, and the statements by its President of 12 June 2008[438] and 15 May[439] and 9 July 2009,[440]

Reaffirming its respect for the sovereignty, territorial integrity and political independence and unity of Somalia, Djibouti and Eritrea, respectively,

Expressing the importance of resolving the border dispute between Djibouti and Eritrea,

Reaffirming that the Djibouti agreement and peace process represent the basis for a resolution of the conflict in Somalia, and further reaffirming its support for the Transitional Federal Government,

Noting the decision adopted at the thirteenth Assembly of the African Union, held in Sirte, Libyan Arab Jamahiriya, from 1 to 3 July 2009, calling upon the Security Council to impose sanctions against foreign actors, both within and outside the region, especially Eritrea, providing support to the armed groups engaged in destabilization activities in Somalia and undermining the peace and reconciliation efforts as well as regional stability,

Noting also the decision of the thirteenth Assembly of the African Union expressing its grave concern at the total absence of progress regarding the implementation by Eritrea of, inter alia, resolution 1862 (2009) regarding the border dispute between Djibouti and Eritrea,

Expressing its grave concern at the findings of the Monitoring Group on Somalia re-established by resolution 1853 (2008) of 19 December 2008, as outlined in its report of 10 December 2008,[441] that Eritrea has provided political, financial and logistical support to armed groups engaged in undermining peace and reconciliation in Somalia and regional stability,

Condemning all armed attacks on Transitional Federal Government officials and institutions, the civilian population, humanitarian workers and the personnel of the African Union Mission in Somalia,

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[438] S/PRST/2008/20.

[439] S/PRST/2009/15.

[440] S/PRST/2009/19.

[441] See S/2008/769.

Expressing its grave concern at Eritrea's rejection of the Djibouti agreement, as noted in the letter dated 19 May 2009 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council,[442]

Recalling its resolution 1844 (2008), in which it decided to impose measures against individuals or entities designated as engaging in or providing support to acts that threaten peace, security and stability in Somalia, acting in violation of the arms embargo or obstructing the flow of humanitarian assistance to Somalia,

Expressing its appreciation of the contribution of the African Union Mission in Somalia to the stability of Somalia, and further expressing its appreciation for the continued commitment to the Mission by the Governments of Burundi and Uganda,

Reiterating its intention to take measures against those who seek to prevent or block the Djibouti peace process,

Expressing its deep concern that Eritrea has not withdrawn its forces to the status quo ante, as called for by the Council in its resolution 1862 (2009) and the statement by its President of 12 June 2008,

Reiterating its serious concern at the refusal of Eritrea so far to engage in dialogue with Djibouti, or to accept bilateral contacts, mediation or facilitation efforts by subregional or regional organizations or to respond positively to the efforts of the Secretary-General,

Taking note of the letter dated 30 March 2009 from the Secretary-General to the President of the Security Council[443] and the subsequent briefings by the Secretariat on the Djibouti-Eritrea conflict,

Noting that Djibouti has withdrawn its forces to the status quo ante and cooperated fully with all concerned, including the United Nations fact-finding mission and the good offices of the Secretary-General,

Determining that Eritrea's actions undermining peace and reconciliation in Somalia as well as the dispute between Djibouti and Eritrea constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reiterates* that all Member States, including Eritrea, shall comply fully with the terms of the arms embargo imposed by paragraph 5 of resolution 733 (1992) of 23 January 1992, as elaborated upon and amended by resolutions 1356 (2001) of 19 June 2001, 1425 (2002) of 22 July 2002, 1725 (2006) of 6 December 2006, 1744 (2007) of 20 February 2007 and 1772 (2007) of 20 August 2007 on Somalia, and the provisions of resolution 1844 (2008);

2. *Calls upon* all Member States, including Eritrea, to support the Djibouti peace process and support reconciliation efforts by the Transitional Federal Government in Somalia, and demands that Eritrea cease all efforts to destabilize or overthrow, directly or indirectly, the Transitional Federal Government;

3. *Reiterates its demand* that Eritrea immediately comply with resolution 1862 (2009) and:

(i) Withdraw its forces and all their equipment to the positions of the status quo ante, and ensure that no military presence or activity is being pursued in the area where the conflict occurred in Ras Doumeira and Doumeira Island in June 2008;

(ii) Acknowledge its border dispute with Djibouti in Ras Doumeira and Doumeira Island, engage actively in dialogue to defuse the tension and engage also in diplomatic efforts leading to a mutually acceptable settlement of the border issue;

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[442] S/2009/256.

[443] S/2009/163.

(iii) Abide by its international obligations as a Member of the United Nations, respect the principles mentioned in Article 2, paragraphs 3, 4 and 5, and Article 33 of the Charter of the United Nations, and cooperate fully with the Secretary-General, in particular through his proposal of good offices mentioned in paragraph 3 of resolution 1862 (2009);

4. *Demands* that Eritrea make available information pertaining to Djiboutian combatants missing in action since the clashes of 10 to 12 June 2008 so that those concerned may ascertain the presence and condition of Djiboutian prisoners of war;

5. *Decides* that all Member States shall immediately take the measures necessary to prevent the sale or supply to Eritrea, by their nationals or from their territories or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, and technical assistance, training, and financial and other assistance related to military activities or to the provision, manufacture, maintenance or use of these items, whether or not originating in their territories;

6. *Decides also* that Eritrea shall not supply, sell or transfer directly or indirectly from its territory or by its nationals or using its flag vessels or aircraft any arms or related materiel, and that all Member States shall prohibit the procurement of the items, training and assistance described in paragraph 5 above from Eritrea by their nationals, or using their flag vessels or aircraft, whether or not originating in the territory of Eritrea;

7. *Calls upon* all Member States to inspect, in their territories, including seaports and airports, in accordance with their national authorities and legislation, and consistent with international law, all cargo to and from Somalia and Eritrea, if the State concerned has information that provides reasonable grounds to believe the cargo contains items, the supply, transfer or export of which is prohibited by paragraphs 5 and 6 of the present resolution or the general and complete arms embargo to Somalia established pursuant to paragraph 5 of resolution 733 (1992) and elaborated upon and amended by subsequent resolutions for the purpose of ensuring strict implementation of those provisions;

8. *Decides* to authorize all Member States to, and that all Member States shall, upon discovery of items prohibited by paragraphs 5 and 6 of the present resolution, seize and dispose of (either by destroying or rendering inoperable) items, the supply, sale, transfer or export of which is prohibited by paragraphs 5 and 6 of the present resolution, and decides further that all Member States shall cooperate in such efforts;

9. *Requires* any Member State, when it finds items, the supply, sale, transfer or export of which is prohibited by paragraphs 5 and 6 of the present resolution, to submit promptly a report to the Security Council Committee established pursuant to resolution 751 (1992) and expanded by resolution 1844 (2008) (hereinafter "the Committee") containing relevant details, including the steps taken to seize and dispose of the items;

10. *Decides* that all Member States shall take the measures necessary to prevent the entry into or transit through their territories of individuals designated by the Committee pursuant to the criteria in paragraph 15 below, provided that nothing in the present paragraph shall oblige a State to refuse entry into its territory to its own nationals;

11. *Decides also* that the measures imposed by paragraph 10 above shall not apply:

(*a*) Where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligation; or

(*b*) Where the Committee determines on a case-by-case basis that an exemption would otherwise further the objectives of peace and stability in the region;

12. *Decides further* that all Member States shall take the measures necessary to prevent the direct or indirect supply, sale or transfer by their nationals or from their territories or using their flag vessels or aircraft of arms and related materiel of all types, including weapons and

ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned and the direct or indirect supply of technical assistance or training, and financial and other assistance, including investment, brokering or other financial services, related to military activities or to the supply, sale, transfer, manufacture, maintenance or use of weapons and military equipment to the individuals or entities designated by the Committee pursuant to paragraph 15 below;

13. *Decides* that all Member States shall freeze without delay the funds, other financial assets and economic resources which are on their territories on the date of adoption of the present resolution or at any time thereafter that are owned or controlled, directly or indirectly, by the entities and individuals designated by the Committee pursuant to paragraph 15 below, or by individuals or entities acting on their behalf or at their direction, and decides further that all Member States shall ensure that no funds, financial assets or economic resources are made available by their nationals or by any individuals or entities within their territories to or for the benefit of such individuals or entities;

14. *Decides also* that the measures imposed by paragraph 13 above do not apply to funds, other financial assets or economic resources that have been determined by relevant Member States:

(*a*) To be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums and public utility charges or exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant Member State to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets or economic resources and in the absence of a negative decision by the Committee within three working days of such notification;

(*b*) To be necessary for extraordinary expenses, provided that such determination has been notified by the relevant Member State(s) to the Committee and has been approved by the Committee; or

(*c*) To be the subject of a judicial, administrative or arbitral lien or judgment, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgment, provided that the lien or judgment was entered into prior to the date of the present resolution, is not for the benefit of a person or entity designated pursuant to paragraph 15 below and has been notified by the relevant Member State(s) to the Committee;

15. *Decides further* that the provisions of paragraph 10 above shall apply to individuals, including but not limited to the Eritrean political and military leadership, and that the provisions of paragraphs 12 and 13 above shall apply to individuals and entities, including but not limited to the Eritrean political and military leadership, governmental and parastatal entities, and entities privately owned by Eritrean nationals living within or outside of Eritrean territory, designated by the Committee as:

(*a*) Violating the measures established by paragraphs 5 and 6 above;

(*b*) Providing support from Eritrea to armed opposition groups which aim to destabilize the region;

(*c*) Obstructing the implementation of resolution 1862 (2009) concerning Djibouti;

(*d*) Harbouring, financing, facilitating, supporting, organizing, training or inciting individuals or groups to perpetrate acts of violence or terrorist acts against other States or their citizens in the region;

(*e*) Obstructing the investigations or work of the Monitoring Group on Somalia;

16. *Demands* that all Member States, in particular Eritrea, cease arming, training and equipping armed groups and their members, including Al-Shabaab, that aim to destabilize the region or incite violence and civil strife in Djibouti;

17. *Demands also* that Eritrea cease facilitating travel and other forms of financial support to individuals or entities designated by the Committee and other sanctions committees, in particular the Security Council Committee established pursuant to resolution 1267 (1999), in line with the provisions set out in the relevant resolutions;

18. *Decides* to further expand the mandate of the Committee to undertake the additional tasks:

(*a*) To monitor, with the support of the Monitoring Group, the implementation of the measures imposed in paragraphs 5, 6, 8, 10, 12 and 13 above;

(*b*) To designate those individuals or entities subject to the measures imposed by paragraphs 10, 12 and 13 above, pursuant to criteria set forth in paragraph 15 above;

(*c*) To consider and decide upon requests for the exemptions set out in paragraphs 11 and 14 above;

(*d*) To update its guidelines to reflect its additional tasks;

19. *Decides also* to further expand the mandate of the Monitoring Group re-established by resolution 1853 (2008) to monitor and report on the implementation of the measures imposed in the present resolution and undertake the tasks outlined below, and requests the Secretary-General to make appropriate arrangements for additional resources and personnel so that the expanded Monitoring Group may continue to carry out its mandate, and in addition:

(*a*) Assist the Committee in monitoring the implementation of the measures imposed in paragraphs 5, 6, 8,10, 12 and 13 above, including by reporting any information on violations;

(*b*) Consider any information relevant to the implementation of paragraphs 16 and 17 above that should be brought to the attention of the Committee;

(*c*) Include in its reports to the Security Council any information relevant to the designation by the Committee of the individuals and entities described in paragraph 15 above;

(*d*) Coordinate as appropriate with panels of experts of other sanctions committees in pursuit of these tasks;

20. *Calls upon* all Member States to report to the Council within one hundred and twenty days of the adoption of the present resolution on steps that they have taken to implement the measures outlined in paragraphs 5, 6, 10, 12 and 13 above;

21. *Affirms* that it shall keep Eritrea's actions under review and that it shall be prepared to adjust the measures, including through their strengthening, modification or lifting, in the light of Eritrea's compliance with the provisions of the present resolution;

22. *Requests* the Secretary-General to report within one hundred and eighty days on Eritrea's compliance with the provisions of the present resolution;

23. *Decides* to remain actively seized of the matter.

Adopted at the 6254th meeting by
13 votes to 1 (Libyan Arab Jamahiriya)
with 1 abstention (China).

Decisions

At its 6316th meeting, on 19 May 2010, the Security Council decided to invite the representative of Djibouti (President) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "Peace and security in Africa".

At its 6362nd meeting, on 20 July 2010, the Council decided to invite the representatives of Djibouti, Eritrea and Somalia to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Peace and security in Africa

"Report of the Secretary-General on Eritrea (S/2010/327)

"Letter dated 12 July 2010 from the Chairman of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea addressed to the President of the Security Council (S/2010/372)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

C. Drug trafficking as a threat to international security

Decisions

At its 6233rd meeting, on 8 December 2009, the Security Council decided to invite the representatives of Algeria, Argentina, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Cape Verde, Colombia, Côte d'Ivoire, Egypt, Ghana, Iran (Islamic Republic of), Italy, Luxembourg, Mali, Morocco, Nigeria, Peru, Senegal, Sweden and Venezuela (Bolivarian Republic of) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

"Peace and security in Africa

"Drug trafficking as a threat to international security

"Letter dated 30 November 2009 from the Permanent Representative of Burkina Faso to the United Nations addressed to the Secretary-General (S/2009/615)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Antonio Maria Costa, Executive Director of the United Nations Office on Drugs and Crime.

At the same meeting, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Tete Antonio, Permanent Observer of the African Union to the United Nations, in response to the request dated 4 December 2009 from the Permanent Representative of Uganda to the United Nations addressed to the President of the Council.

At the same meeting, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Adrienne Yande Diop, Commissioner for Human Development and Gender of the Economic Community of West African States, in response to the request dated 7 December 2009 from the Permanent Representative of Burkina Faso to the United Nations addressed to the President of the Council.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[444]

"The Security Council reaffirms its primary responsibility for the maintenance of international peace and security in accordance with the Charter of the United Nations.

"The Council notes with concern the serious threats posed, in some cases, by drug trafficking and related transnational organized crime to international security in different regions of the world, including in Africa. The increasing link, in some cases, between drug trafficking and the financing of terrorism is also a source of growing concern.

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[444] S/PRST/2009/32.

"The Council stresses the importance of strengthening transregional and international cooperation on the basis of a common and shared responsibility to counter the world drug problem and related criminal activities, and in support of relevant national, subregional and regional organizations and mechanisms, including with a view to strengthening the rule of law.

"The Council recognizes the importance of the actions undertaken by the General Assembly, the Economic and Social Council, the Commission on Narcotic Drugs, the United Nations Office on Drugs and Crime and other relevant United Nations organs and agencies in facing numerous security risks caused by drug trafficking in many countries and regions, including in Africa. The Security Council encourages them to undertake further actions in this regard.

"The Council stresses the need to reinforce the coordination of United Nations actions, including cooperation with the International Criminal Police Organization (INTERPOL), in order to enhance the effectiveness of international efforts in the fight against drug trafficking at the national, regional and international levels to tackle this global challenge in a more comprehensive manner, in accordance with the principle of common and shared responsibility.

"The Council reaffirms and commends in that regard the important work of the United Nations Office on Drugs and Crime, in collaboration with the relevant United Nations entities, and emphasizes the need for adequate capacities to support national efforts.

"The Council invites the Secretary-General to consider mainstreaming the issue of drug trafficking as a factor in conflict prevention strategies, conflict analysis, integrated missions assessment and planning and peacebuilding support.

"The Council encourages States to comply with their obligations to combat drug trafficking and other forms of transnational organized crime, to consider acceding to relevant international conventions, in particular the three United Nations drug conventions[44] and to investigate and prosecute, as appropriate, persons and entities responsible for drug trafficking and related crimes consistent with international human rights and due process standards.

"The Council recognizes the important contribution of States and regional and subregional organizations in tackling drug trafficking in all its aspects, and encourages them to share best practices, as well as information about illicit drug trafficking networks.

"The Council also recognizes the important contribution of civil society and other stakeholders in tackling drug trafficking in a comprehensive manner.

"The Council calls upon the international community and the United Nations system to strengthen their cooperation with regional and subregional organizations in the fight against drug trafficking, including in Africa.

"The Council calls upon the Secretary-General to provide, as appropriate, more information on drug trafficking and related issues where it risks threatening or exacerbating an existing threat to international peace and security."

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[44] Single Convention on Narcotic Drugs of 1961, as amended by the 1972 Protocol (United Nations, *Treaty Series*, vol. 976, No. 14152); Convention on Psychotropic Substances of 1971 (United Nations, *Treaty Series*, vol. 1019, No. 14956); and United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 (United Nations, *Treaty Series*, vol. 1582, No. 27627).

COOPERATION BETWEEN THE UNITED NATIONS AND REGIONAL AND SUBREGIONAL ORGANIZATIONS IN MAINTAINING INTERNATIONAL PEACE AND SECURITY[446]

Decisions

At its 6257th meeting, on 13 January 2010, the Security Council considered the item entitled:

> "Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security
>
> > "Letter dated 4 January 2010 from the Permanent Representative of China to the United Nations addressed to the Secretary-General (S/2010/9)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Amre Moussa, Secretary General of the League of Arab States, Mr. Ramtane Lamamra, Commissioner for Peace and Security of the African Union Commission, Mr. Le Luong Minh, Permanent Representative of Viet Nam to the United Nations, on behalf of the Association of Southeast Asian Nations, Mr. Nikolai Bordyuzha, Secretary General of the Collective Security Treaty Organization, Mr. Pedro Serrano, Acting Head of the Delegation of the European Union to the United Nations, Mr. Claudio Bisogniero, Deputy Secretary General of the North Atlantic Treaty Organization, Mr. Victor Rico Frontaura, Secretary for Political Affairs of the Organization of American States, Mr. Ekmeleddin İhsanoğlu, Secretary General of the Organization of the Islamic Conference, Mr. Oleksandr Pavlyuk, Head of the External Cooperation Department of the Organization for Security and Cooperation in Europe, Mr. Gary Quinlan, Permanent Representative of Australia to the United Nations, on behalf of the Pacific Islands Forum, and Mr. Muratbek Sansyzbayevich Imanaliyev, Secretary-General of the Shanghai Cooperation Organization.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[447]

> "The Security Council recalls its previous relevant resolutions and the statements by its President which underscore the importance of developing effective partnerships between the United Nations and regional and subregional organizations, in accordance with the Charter of the United Nations and the relevant statutes of the regional and subregional organizations.
>
> "The Council recalls the purposes and principles of the Charter, reiterates its primary responsibility under the Charter for the maintenance of international peace and security, and further recalls that cooperation with regional and subregional organizations in matters relating to the maintenance of international peace and security, consistent with Chapter VIII of the Charter, can improve collective security.
>
> "The Council expresses its intention to consider further steps to promote closer and more operational cooperation between the United Nations and regional and subregional organizations in the fields of conflict early warning, prevention, peacemaking, peacekeeping and peacebuilding, and to ensure the coherence, synergy and collective effectiveness of their efforts. In this regard, it welcomes the strong cooperation initiatives already existing between the United Nations and regional organizations.
>
> "The Council commends the ongoing efforts and contributions made by the Secretariat to consolidate partnerships with regional and subregional organizations and welcomes the

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[446] Resolutions or decisions on this question were first adopted by the Security Council in 2007.

[447] S/PRST/2010/1.

convening of the Secretary-General's retreat with heads of regional and other organizations on 11 and 12 January 2010. The Council expresses its intention to hold informal interactive dialogues with regional and subregional organizations in the future.

"The Council reaffirms its commitment to the peaceful settlement of disputes, acknowledges the important contribution of regional and subregional organizations to the peaceful settlement of local disputes and preventive diplomacy, as they are well positioned to understand the root causes of many conflicts and other security challenges. The Council underlines the importance of utilizing the existing and potential capabilities of regional and subregional organizations in this regard, including by encouraging countries in the region to resolve differences peacefully through dialogue, reconciliation, consultation, negotiation, good offices, mediation and judicial settlement of disputes. The Council is resolved to strengthen United Nations support for the peaceful settlement of disputes through improved interaction and cooperation with regional and subregional organizations.

"The Council invites the Secretariat and all regional and subregional organizations that have a capacity for peacekeeping to enhance their working relations and to further explore how their collaboration could better contribute to the fulfilment of United Nations mandates and goals, so as to ensure a coherent framework for peacekeeping. The Council underlines the importance of regional and subregional organizations enhancing their peacekeeping capabilities and the value of international support to their efforts, in particular to the African Union, in terms of the 2006 United Nations-African Union Ten-Year Capacity-Building Programme for the African Union.

"The Council recognizes the role that regional and subregional organizations can play in post-conflict peacebuilding, recovery, reconstruction and development processes and affirms the importance of interaction and cooperation between the Peacebuilding Commission and regional and subregional organizations. The Council encourages the Commission to continue to work in close consultation with regional and subregional organizations, with a view to ensuring more consistent and integrated strategies for post-conflict peacebuilding and recovery.

"The Council recognizes the need for close cooperation with regional and subregional organizations, as appropriate, for the coherent and effective implementation of its resolutions, including those on thematic issues applicable to a wide range of conflict situations.

"The Council encourages the Secretariat and regional and subregional organizations to further explore information-sharing on their respective capabilities and lessons learned in maintaining international peace and security and to continue to compile best practices, in particular in the field of mediation, good offices and peacekeeping. The Council also encourages the strengthening of cooperation and dialogue among regional and subregional organizations in this regard."

At its 6306th meeting, on 4 May 2010, the Council considered the item entitled:

"Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security

"European Union".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Baroness Ashton, High Representative for Foreign Affairs and Security Policy of the European Union.

REQUEST OF PAKISTAN FOR THE ESTABLISHMENT OF A COMMISSION OF INQUIRY IN CONNECTION WITH THE ASSASSINATION OF THE FORMER PRIME MINISTER, MOHTARMA BENAZIR BHUTTO[448]

Decision

On 6 January 2010, the President of the Security Council addressed the following letter to the Secretary-General:[449]

> "I have the honour to inform you that your letter dated 30 December 2009 concerning the granting of an additional three months for the mandate of the Commission of Inquiry into the facts and circumstances of the assassination of the former Prime Minister of Pakistan, Mohtarma Benazir Bhutto[450] has been brought to the attention of the members of the Security Council. They take note of the information contained in your letter and the intention expressed therein."

LETTER DATED 22 SEPTEMBER 2009 FROM THE PERMANENT REPRESENTATIVE OF BRAZIL TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Decision

At its 6192nd meeting, on 25 September 2009, the Security Council decided to invite the representative of Brazil (Minister for Foreign Affairs) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled "Letter dated 22 September 2009 from the Permanent Representative of Brazil to the United Nations addressed to the President of the Security Council (S/2009/487)".

LETTER DATED 4 JUNE 2010 FROM THE PERMANENT REPRESENTATIVE OF THE REPUBLIC OF KOREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL AND OTHER RELEVANT LETTERS

Decisions

At its 6355th meeting, on 9 July 2010, the Security Council considered the item entitled "Letter dated 4 June 2010 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council (S/2010/281) and other relevant letters".

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[448] Resolutions or decisions on this question were first adopted by the Security Council during the period from 1 January to 31 July 2009.

[449] S/2010/8.

[450] S/2010/7.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[451]

"The Security Council notes the letter dated 4 June 2010 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council[452] and the letter dated 8 June 2010 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the President of the Security Council.[453]

"The Council deplores the attack of 26 March 2010, which led to the sinking of the Republic of Korea naval ship the *Cheonan*, resulting in the tragic loss of 46 lives.

"The Council determines that such an incident endangers peace and security in the region and beyond.

"The Council deplores the loss of life and injuries, expresses its deep sympathy and condolences to the victims and their families and to the people and Government of the Republic of Korea, and calls for appropriate and peaceful measures to be taken against those responsible for the incident aimed at the peaceful settlement of the issue in accordance with the Charter of the United Nations and all other relevant provisions of international law.

"In view of the findings of the five-nation Joint Civilian-Military Investigation Group led by the Republic of Korea, which concluded that the Democratic People's Republic of Korea was responsible for sinking the *Cheonan*, the Council expresses its deep concern.

"The Council takes note of the responses from other relevant parties, including from the Democratic People's Republic of Korea, which has stated that it had nothing to do with the incident.

"Therefore, the Council condemns the attack which led to the sinking of the *Cheonan*.

"The Council underscores the importance of preventing further such attacks or hostilities against the Republic of Korea or in the region.

"The Council welcomes the restraint shown by the Republic of Korea and stresses the importance of maintaining peace and stability on the Korean peninsula and in north-east Asia as a whole.

"The Council calls for full adherence to the Korean Armistice Agreement[454] and encourages the settlement of outstanding issues on the Korean peninsula by peaceful means to resume direct dialogue and negotiation through appropriate channels as early as possible, with a view to avoiding conflicts and averting escalation.

"The Council reaffirms the importance that all Member States uphold the purposes and principles of the Charter."

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[451] S/PRST/2010/13.

[452] S/2010/281.

[453] S/2010/294.

[454] See S/3079.

Part II. Other matters considered by the Security Council

SECURITY COUNCIL DOCUMENTATION AND WORKING METHODS AND PROCEDURE

A. Implementation of the note by the President of the Security Council (S/2006/507)

Decision

At its 6300th meeting, on 22 April 2010, the Security Council decided to invite the representatives of Argentina, Australia, Canada, Colombia, Costa Rica, Cuba, the Czech Republic, Ecuador, Egypt, Finland, Germany, India, Iran (Islamic Republic of), Italy, Jordan, Kenya, Liechtenstein, Luxembourg, Malaysia, Malta, Namibia, New Zealand, Pakistan, Peru, the Philippines, Portugal, Qatar, the Republic of Korea, Saint Vincent and the Grenadines, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Switzerland, Ukraine, Uruguay and Venezuela (Bolivarian Republic of) to participate, without vote, in accordance with rule 37 of its provisional rules of procedure, in the discussion of the item entitled:

> "Implementation of the note by the President of the Security Council (S/2006/507)
>
> > "Letter dated 1 April 2010 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General (S/2010/165)".[455]

B. General matters

Decisions

On 4 September 2009, the President of the Security Council issued the following note:[456]

> "After consultations among the members of the Security Council, it was agreed to elect the Chairs of the following committees for the period ending 31 December 2009:

Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

> Chair: Ertuğrul Apakan (Turkey)
>
> Costa Rica and Viet Nam will continue to serve as Vice-Chairs for the said period.

Security Council Committee established pursuant to resolution 1718 (2006)

> Chair: Ertuğrul Apakan (Turkey)
>
> Costa Rica and the Libyan Arab Jamahiriya will continue to serve as Vice-Chairs for the said period."

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[455] Belgium submitted a request to be invited to participate, which it subsequently withdrew.

[456] S/2009/440.

On 5 October 2009, the President of the Security Council issued the following note:[457]

"After consultations among the members of the Security Council, it was agreed to elect the Chairs of the following subsidiary bodies for the period ending 31 December 2009:

Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

Chair: Ranko Vilović (Croatia)

France, the Russian Federation and Viet Nam will continue to serve as Vice-Chairs for the said period.

Working Group established pursuant to resolution 1566 (2004)

Chair: Ranko Vilović (Croatia)"

On 15 December 2009, the President of the Security Council issued the following note:[458]

"Following consultations among the members of the Security Council, it has been agreed that the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, initially established on 1 March 2002 for a period of one year,[459] will continue its work until 31 December 2010."

In a letter dated 30 December 2009, the President of the Security Council informed the Secretary-General of the selection of Gabon and Mexico as the two members of the Council's elected member category for the Organizational Committee of the Peacebuilding Commission for a term of one year, until the end of 2010.[460]

In a letter dated 31 December 2009, the President of the Security Council informed the President of the General Assembly of the selection of Gabon and Mexico as the two members of the Council's elected member category for the Organizational Committee of the Peacebuilding Commission for a term of one year, until the end of 2010.[461]

On 2 March 2010, the President of the Security Council issued the following note:[462]

"Pursuant to paragraph 4 (*b*) of the note by the President of the Security Council dated 30 October 1998,[463] and after consultations among the members of the Council, it was agreed to elect the Chairs and Vice-Chairs of subsidiary bodies for the period ending 31 December 2010 as follows:

Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea[464]

Chair: Claude Heller (Mexico)
Vice-Chairs: Lebanon and Nigeria

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[457] S/2009/506.

[458] S/2009/650.

[459] See S/2002/207.

[460] The letter, which was issued as a Security Council document under the symbol S/2009/678, has been reproduced on page 215 of the present volume.

[461] The letter, which was issued as a Security Council document under the symbol S/2009/683, has been reproduced on page 215 of the present volume.

[462] S/2010/2/Rev.1. Previously issued on 31 January 2010 as document S/2010/2.

[463] S/1998/1016.

[464] On 2 March 2010, the Security Council amended the name of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia to "Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea".

Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone

Chair: Nawaf Salam (Lebanon)
Vice-Chairs: Bosnia and Herzegovina and Brazil

Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

Chair: Thomas Mayr-Harting (Austria)
Vice-Chairs: Brazil and Russian Federation

Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

Chair: Ertuğrul Apakan (Turkey)
Vice-Chairs: France, Gabon and Russian Federation

Security Council Committee established pursuant to resolution 1518 (2003)

Chair: U. Joy Ogwu (Nigeria)
Vice-Chair: Japan

Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia

Chair: Ivan Barbalić (Bosnia and Herzegovina)
Vice-Chairs: Turkey and Uganda

Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

Chair: Maria Luiza Ribeiro Viotti (Brazil)
Vice-Chairs: Gabon and Lebanon

Security Council Committee established pursuant to resolution 1540 (2004)

Chair: Claude Heller (Mexico)
Vice-Chairs: Lebanon, Turkey and United Kingdom of Great Britain and Northern Ireland

Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire

Chair: Maria Luiza Ribeiro Viotti (Brazil)
Vice-Chairs: Austria and Uganda

Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan

Chair: Thomas Mayr-Harting (Austria)
Vice-Chairs: Bosnia and Herzegovina and Mexico

Security Council Committee established pursuant to resolution 1636 (2005)

Chair: Emmanuel Issoze-Ngondet (Gabon)
Vice-Chairs: Austria and Bosnia and Herzegovina

Security Council Committee established pursuant to resolution 1718 (2006)

Chair: Ertuğrul Apakan (Turkey)
Vice-Chairs: Lebanon and Nigeria

Security Council Committee established pursuant to resolution 1737 (2006)

Chair: Yukio Takasu (Japan)
Vice-Chair: Nigeria

Working Group on Peacekeeping Operations

Chair: Yukio Takasu (Japan)

Ad Hoc Working Group on Conflict Prevention and Resolution in Africa

Chair: Ruhakana Rugunda (Uganda)

Working Group established pursuant to resolution 1566 (2004)

Chair: Ertuğrul Apakan (Turkey)

Working Group on Children and Armed Conflict

Chair: Claude Heller (Mexico)

Informal Working Group on Documentation and Other Procedural Questions

Chair: Yukio Takasu (Japan)

Informal Working Group on International Tribunals

Chair: Thomas Mayr-Harting (Austria)"

On 26 July 2010, the President of the Security Council issued the following note:[465]

"1. In efforts to enhance the efficiency and transparency of the work of the Security Council, as well as interaction and dialogue with non-members of the Council, the members of the Council are committed to implementing the measures described in the annex to the present note.

"2. The annex is intended to be a concise and user-friendly list of the recent practices and newly agreed measures, which will serve as guidance for the work of the Council. In this regard, some existing measures are recollected herein for the convenience of users.

"3. The present note incorporates and further develops the notes by the President of the Security Council of 19 July 2006,[466] 19 December 2007[467] and 31 December 2008,[468] superseding those notes.

"4. For issues not mentioned in the present note, working methods regarding sanctions committees will continue to be governed by the working methods as adopted by individual sanctions committees and the notes and statements by the President of the Security Council listed in the note by the President of 7 February 2006.[469] For issues not mentioned in the present note, working methods regarding interaction with troop- and police-contributing countries will continue to be governed by Council resolution 1353 (2001).

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[465] S/2010/507.

[466] S/2006/507.

[467] S/2007/749.

[468] S/2008/847.

[469] S/2006/78.

"5. The members of the Council will continue their consideration of the documentation of the Council and other procedural questions in the Informal Working Group on Documentation and Other Procedural Questions and other subsidiary bodies of the Council. The present note covers only the work done by the above-mentioned Working Group.

"Annex

"Contents

		Paragraphs
I.	Agenda	1–2
II.	Briefings	3–9
III.	Documentation	10–19
IV.	Informal consultations	20–27
V.	Meetings	28–37
VI.	Programme of work	38–41
VII.	Resolutions and presidential statements	42–45
VIII.	Subsidiary bodies	46–50
IX.	Matters of which the Council is seized	51–58
X.	Communication with the Secretariat and outside	59–65
XI.	Security Council missions	66–69
XII.	Annual report	70–75
XIII.	Newly elected members	76–78

"I. Agenda

"1. The provisional agenda for formal meetings of the Security Council should be included in the *Journal of the United Nations* provided that it has been approved in informal consultations.

"2. The members of the Council recall the desirability, whenever possible, of using descriptive formulations of agenda items at the time of their initial adoption to avoid having a number of separate agenda items on the same subject. When such a descriptive formulation exists, consideration may be given to subsuming earlier agenda items on the same subject under the descriptive formulation.

"II. Briefings

"3. The members of the Security Council agree that the President of the Council or his or her designate should provide substantive and detailed briefings to Member States in a timely manner. Such briefings should take place shortly after informal consultations of the whole. The members of the Council encourage the President of the Council to provide the attending Member States with copies of statements that he or she makes to the media following the informal consultations, if appropriate.

"4. The members of the Council encourage the President of the Council to hold an informal briefing on the programme of work open to all Member States, after its adoption by the Council.

"5. The members of the Council invite Chairs of the subsidiary bodies of the Council or their designates to give, on a regular basis, informal briefings, when appropriate, on their activities to interested Member States. The members of the Council agree that the time and place of such briefings should be published in the *Journal of the United Nations*.

"6. The members of the Council intend to continue to consider requesting the Secretariat to give an ad hoc briefing at Council meetings in cases in which an emergent situation which justifies a briefing arises.

"7. The members of the Council intend to request the Secretariat to give ad hoc briefings at informal consultations on a daily basis, if necessary, when a situation justifies such briefings.

"8. The members of the Council invite the Secretariat to continue its practice of circulating the briefing texts at 'briefings'.

"9. The members of the Council invite the Secretariat, as a general rule, to provide a printed fact sheet, presentation materials and/or any other relevant reference materials, whenever possible, to Council members on the day prior to the consultations, when briefings in the Council consultations room are not given on the basis of a written report.

"III. Documentation

"10. The members of the Security Council intend to intensify their efforts to publicize decisions and other relevant information of the Council and its subsidiary bodies to the Member States and other organizations through correspondence, websites, outreach activities and other means, when appropriate. The members of the Council intend to continue to examine ways to enhance its activities in this regard. The members of the Council encourage subsidiary bodies of the Council to continue to review periodically policies concerning access to their documents, as appropriate.

"11. The members of the Council agree that reports of the Secretary-General should be circulated to Council members and made available in all official languages of the United Nations at least four working days before the Council is scheduled to consider them. The members of the Council also agree that the same rule should apply to making such reports available to relevant participants in Council meetings at which those reports are discussed, including the distribution of the reports on peacekeeping missions to all participants in meetings of troop- and police-contributing countries.

"12. The members of the Council agree to consider setting a six-month interval as the standard reporting period, unless the situation provides reason for shorter or longer intervals. The members of the Council also agree to define reporting intervals as clearly as possible when adopting resolutions. The members of the Council further agree to request oral reporting, which does not require submission of a written report, if the members of the Council consider that it would serve the purpose satisfactorily, and to indicate that request as clearly as possible.

"13. The members of the Council encourage the Secretary-General to include a section in his reports where all recommendations are listed when presenting recommendations to the Council regarding the mandate of a United Nations mission.

"14. The members of the Council encourage the Secretary-General to make reports as concise as possible and to give ample cut-off time in order for the reports to be issued in a timely manner. The Secretariat is encouraged to supplement and update information contained in reports of the Secretary-General by including information about the most recent developments during briefings.

"15. The members of the Council intend to request the Secretary-General to include policy recommendations on long-term strategy in his reports, if appropriate.

"16. Reports of the Secretary-General will specify the date on which the document is physically and electronically distributed in addition to the date of signature by the Secretary-General.

"17. The Council agrees to cooperate with other organs of the United Nations in synchronizing reporting obligations of the Secretariat on the same subject, if appropriate, while giving priority to the effective work of the Council.

"18. The members of the Council request the Secretariat to update the Council towards the end of each month on the progress in the preparation of the reports of the Secretary-General to be issued the following month. The members of the Council also request the Secretariat to communicate with the Council immediately if it expects reports to be delayed beyond their deadlines or if reports that have not been requested by the Council are expected to be issued.

"19. The members of the Council encourage the Secretariat to ensure that all information provided to Council members is transmitted electronically, including by fax.

"IV. Informal consultations

"20. The members of the Security Council encourage the President of the Council to suggest, through consultations with interested members and/or the Secretariat, as appropriate, a few areas for Council members and the Secretariat to focus on at the Council's next informal consultations, without the intention of prescribing the scope of discussion, at least one day before the consultations are to be held.

"21. The members of the Council agree that, when briefings are being provided to the Council members by senior Secretariat officials, the number of staff members accompanying those officials in the consultations should be kept to a strict minimum. Unless otherwise decided, the Secretariat staff from offices other than those of the designated briefer or from United Nations agencies will normally not be invited to attend consultations. Unless otherwise decided, the Security Council Affairs Division of the Department of Political Affairs will be responsible for keeping the Office of the Spokesperson for the Secretary-General informed of matters which may require its action.

"22. As a general rule, the purpose of initial remarks or ad hoc briefings delivered by members of the Secretariat is to supplement and update written reports of the Secretary-General or to provide members of the Council with more specific on-the-ground information on the most recent developments, which may not be covered in the written report. The members of the Council encourage members of the Secretariat to focus on key issues and to provide the latest information, as necessary, without repeating the content of written reports already available to members of the Council.

"23. The members of the Council intend, where they agree with a previous speaker, in part or in whole, to express that agreement without repeating the same content.

"24. The members of the Council agree that, as a general rule, the President of the Council should adhere to the prescribed speakers' list. The members of the Council encourage the President to facilitate interaction by inviting any participant in the consultations to speak at any time, irrespective of the order of the prescribed speakers' list, when the discussion requires it.

"25. The members of the Council encourage speakers to direct their questions not only to the Secretariat, but also to other members.

"26. The members of the Council do not discourage each other from taking the floor more than once, in the interest of making consultations more interactive.

"27. The members of the Council invite the Secretariat to continue its practice of circulating all press statements issued by the Secretary-General or by the Spokesperson for the Secretary-General in connection with matters of concern to the Council.

"V. Meetings

"Conduct of meetings

"28. In order to increase the transparency of its work, the Security Council reaffirms its commitment to increase recourse to open meetings, particularly at the early stage in its consideration of a matter.

"29. The Council encourages, as a general rule, all participants, both members and non-members of the Council, in Council meetings to deliver their statements in 5 minutes or less. The Council also encourages each briefer to limit initial remarks to 15 minutes, unless otherwise decided by the Council.

"30. The Council encourages participants in Council meetings to express agreement without repeating the same content, if they agree, in part or in whole, with the content of a previous statement.

"31. The Council agrees that, when non-members are invited to speak to the Council, those who have a direct interest in the outcome of the matter under consideration may speak prior to Council members, if appropriate.

"32. In line with paragraph 170 (*a*) of the 2005 World Summit Outcome[470] and Council resolution 1631 (2005), the members of the Council agree to continue to expand consultation and cooperation with regional and subregional organizations, including by inviting relevant organizations to participate in the public and private meetings of the Council, when appropriate.

"33. In order to further encourage substantive discussions with troop- and police-contributing countries, in accordance with Council resolution 1353 (2001), the members of the Council encourage the attendance of appropriate military and political officers from each participating mission at meetings with troop-contributing countries. The members of the Council emphasize the importance of consulting with troop- and police-contributing countries, including holding meetings, preferably one week before the Council considers mandate renewals or modifications. The members of the Council encourage the President of the Council to provide sufficient time for the meetings and to provide to the other members of the Council a summary of the meetings with troop- and police-contributing countries that are held before the Council discusses mandate renewals or modifications.

"34. When non-members of the Council are invited to speak at Council meetings, they will be seated at the Council table on alternate sides of the President, the first speaker being seated on the President's right.

"Notification

"35. The members of the Council invite the Secretariat to notify Member States of unscheduled or emergency meetings not only by e-mail but also through the Council website and by telephone as necessary.

"Format

"36. In an effort further to advance the resolution of a matter under consideration, the members of the Council agree to use a range of meeting options from which they can select the one best suited to facilitate specific discussions. Recognizing that the provisional rules of procedure of the Council and their own practice provide them with considerable flexibility in choosing how best to structure their meetings, members of the Council agree that meetings of the Council could be structured according to, but not limited to, the following formats:

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[470] See General Assembly resolution 60/1.

"(*a*) Public meetings

"(i) *Functions*

"To take action and/or hold, inter alia, briefings and debates.

"(ii) *Presence and participation*

"The presence and participation of non-members of the Council in public meetings should be in accordance with the provisional rules of procedure. The practice of the Council, as described below, is understood as being in accordance with the provisional rules of procedure, although it should not under any circumstances be understood as replacing or substituting for the provisional rules of procedure.

"*a*. Any Member of the United Nations that is not a member of the Security Council may be present at its delegation's designated seats in the Council Chamber;

"*b*. On a case-by-case basis, any Member of the United Nations that is not a member of the Security Council, members of the Secretariat and other persons may be invited to participate in the discussion, including for the purpose of giving briefings to the Council, in accordance with rule 37 or 39 of the provisional rules of procedure.

"(iii) *Descriptions in the provisional monthly programme of work*

"The members of the Council intend to continue to include the following formats for public meetings in the provisional monthly programme of work (calendar) when they plan to adopt, in general, the corresponding procedures:

"*a*. 'Open debate': briefings may or may not be conducted, and Council members may deliver statements; non-members of the Council may also be invited to participate in the discussion upon their request;

"*b*. 'Debate': briefings may be conducted, and Council members may deliver statements; non-members of the Council that are directly concerned or affected or have a special interest in the matter under consideration may be invited to participate in the discussion upon their request;

"*c*. 'Briefing': briefings are conducted, and only Council members may deliver statements following briefings;

"*d*. 'Adoption': Council members may or may not deliver statements before and/or after adopting, inter alia, resolutions and presidential statements; non-members of the Council may or may not be invited to participate in the discussion upon their request.

"(*b*) Private meetings

"(i) *Functions*

"To conduct discussion and/or take actions, for example, recommendation regarding the appointment of the Secretary-General, without the attendance of the public or the press.

"(ii) *Presence and participation*

"The presence and participation of non-members of the Council in private meetings should be in accordance with the provisional rules of procedure. The practice of the

Council, as described below, is understood as being in accordance with the provisional rules of procedure, although it should not under any circumstances be understood as replacing or substituting for the provisional rules of procedure:

"On a case-by-case basis, any Member of the United Nations which is not a member of the Security Council, members of the Secretariat and other persons may be invited to be present or to participate in the discussion, including for the purpose of giving briefings to the Council, in accordance with rule 37 or 39 of the provisional rules of procedure.

"(iii) *Descriptions in the provisional monthly programme of work*

"The members of the Council intend to continue to include the following formats for private meetings in the provisional monthly programme of work (calendar) when they plan to adopt, in general, the corresponding procedures:

"*a.* 'Private meeting': briefings or debates may be conducted, and Council members may deliver statements; any Member of the United Nations which is not a member of the Security Council, members of the Secretariat and other persons may be invited to be present or to participate in the discussion, upon their request, in accordance with rule 37 or 39 of the provisional rules of procedure;

"*b.* 'TCC meeting': briefings may be conducted, and Council members may deliver statements; parties described in resolution 1353 (2001) are invited to participate in the discussion, in accordance with the resolution.

"Distribution of statements

"37. Texts of statements made at the meetings of the Council will, at the request of the delegation making the statement, be distributed by the Secretariat inside the Council Chamber to Council members and other Member States and permanent observers to the United Nations present at the meeting. A delegation requesting the distribution of its statement is encouraged to provide a sufficient number of copies (200) to the Secretariat in advance of the statement. When a delegation does not provide to the Secretariat a sufficient number of copies of its statement, the copies provided will be placed outside the Council Chamber at the end of the meeting. Delegations are requested not to make statements otherwise available during the meeting.

"VI. Programme of work

"38. The members of the Security Council encourage the President of the Council to publish a streamlined tentative monthly forecast of the programme of work on the Council website as soon as it has been distributed to Council members.

"39. The forecast should be made available in all official languages 'for information only/not an official document', and there should be a cover note which reads:

'This tentative forecast of the programme of work of the Security Council has been prepared by the Secretariat for the President of the Council. The forecast covers in particular those matters that may be taken up during the month pursuant to earlier decisions of the Council. The fact that a matter is or is not included in the forecast carries no implication that it will or will not be taken up during the month: the actual programme of work will be determined by developments and the views of members of the Council.'

"40. The members of the Council have agreed that the following reminder should be placed in the *Journal of the United Nations* each month:

'The monthly tentative forecast has been made available on the website of the Security Council, in accordance with the note by the President of the Security Council dated 26 July 2010 (S/2010/507). Copies of the tentative forecast have also been placed in the delegations' boxes and may be collected at the delegations' pick-up areas, as of [date].'

“41. The members of the Council agree that the President of the Council should update the provisional monthly programme of work (calendar) and make it available to the public through the Council website each time it is revised and distributed to Council members, with appropriate indication of the revised items.

“VII. Resolutions and presidential statements

“42. The members of the Security Council reaffirm that all members of the Council should be allowed to participate fully in the preparation of, inter alia, the resolutions, presidential statements and press statements of the Council. The members of the Council also reaffirm that the drafting of all documents such as resolutions and presidential statements as well as press statements should be carried out in a manner that will allow adequate participation of all members of the Council.

“43. The members of the Council intend to continue to informally consult with the broader United Nations membership, in particular interested Member States, including countries directly involved or specifically affected, neighbouring States and countries with particular contributions to make, as well as with regional organizations and Groups of Friends, when drafting, inter alia, resolutions, presidential statements and press statements, as appropriate.

“44. The members of the Council agree to consider making draft resolutions and presidential statements as well as other draft documents available, as appropriate, to non-members of the Council as soon as such documents are introduced in informal consultations of the whole, or earlier, if so authorized by the authors of the draft document.

“45. The President of the Council should, when so requested by the Council members, and without prejudice to his or her responsibilities as President, draw the attention of the representative(s) of the Member State(s) and regional organizations and arrangements concerned to relevant statements to the press made by the President on behalf of Council members or decisions of the Council. The Secretariat should also continue to bring to the knowledge of those concerned, including non-State actors, through the relevant Special Representatives, Representatives and Envoys of the Secretary-General and United Nations Resident Coordinators, resolutions and presidential statements of the Council as well as statements to the press made by the President of the Council on behalf of the Council members, and ensure their promptest communication and widest possible dissemination. The Secretariat should further issue, as United Nations press releases, all written statements to the press made by the President of the Council on behalf of the Council members, upon clearance by the President.

“VIII. Subsidiary bodies

“46. The members of the Security Council encourage the Chairs of all subsidiary bodies to continue to report to the Council on any outstanding issues, when necessary and in any event on a regular basis, in order to receive strategic guidance from the Council.

“47. The members of the Council encourage subsidiary bodies of the Council to seek the views of Member States with strong interest in their areas of work. The members of the Council in particular encourage sanctions committees to seek the views of Member States that are particularly affected by the sanctions.

“48. The members of the Council encourage the Secretariat to provide administrative and substantive support to the subsidiary bodies of the Council.

"49. The members of the Council encourage the Chairs of the subsidiary bodies of the Council to make the schedules of meetings of subsidiary bodies available to the public, when appropriate, through their websites and the *Journal of the United Nations*.

"50. The members of the Council welcome the participation in the meetings of the Security Council Working Group on Peacekeeping Operations of the Secretariat, troop- and police-contributing countries and other major stakeholders, and encourage this practice in order to foster closer cooperation between the Council and those actors.

"IX. Matters of which the Council is seized

"51. Rule 11 of the provisional rules of procedure of the Security Council provides that the Secretary-General shall communicate each week to the representatives on the Security Council a summary statement of matters of which the Security Council is seized and of the stage reached in their consideration.

"52. The practice of including an agenda item in the summary statement once it has been adopted at a formal meeting of the Council will remain unchanged.

"53. At the beginning of each year, the Council will review the summary statement in order to determine if the Council has concluded its consideration of any of the listed items, in particular those items that were considered for the first time during the preceding year, and whether, consequently, such items should be deleted from the statement. Further, except as provided herein, any item which has not been considered by the Council during the preceding three calendar years will also be deleted.

"54. The preliminary annual summary statement on matters of which the Council is seized issued in January of each year by the Secretary-General will identify the items to be deleted from the list. The first summary statement issued in March of each year will reflect the deletion of those items, unless a State Member of the United Nations notifies the President of the Council by the end of February of that year that it requests that an item remain on the summary statement, in which case such item will remain on the statement for one year, unless the Council decides otherwise.

"55. The deletion of an item does not imply that such item cannot be taken up by the Council as and when it deems it necessary in the future.

"56. The summary statement will be presented in the format of two sections, as follows: one section comprising items which have been considered by the Council at a meeting during the preceding three-year period, and another section comprising items which have not been considered at a meeting during the preceding three-year period but which the Council has decided to retain at the request of a Member State.

"57. The Council reconfirms that the first summary statement of each month will contain a full, updated list of items of which the Council is seized. For intervening weeks, a weekly addendum to the summary statement will be issued listing only those items on which further action has been taken by the Council during the previous week or indicating that there has been no change during that period.

"58. The Council reconfirms that references given for each item listed in the summary statement will be the date when the item was first taken up by the Council at a formal meeting and the date of the most recent formal meeting of the Council held on that item.

"X. Communication with the Secretariat and outside

"59. The members of the Security Council intend to seek the views of Member States that are parties to a conflict and/or other interested and affected parties. For that purpose, the Council may, inter alia, utilize private meetings when public meetings are not appropriate, in which case invitations are also to be extended in accordance with rules 37 and 39 of the provisional rules of procedure of the Council. The Council, when it deems it appropriate, may also utilize informal dialogues.

"60. The members of the Security Council intend to continue to maintain regular communication with the General Assembly and the Economic and Social Council for better coordination among the principal organs of the United Nations. To that end, the members of the Security Council encourage the President of the Council to continue holding meetings with the Presidents of the General Assembly and the Economic and Social Council on a regular basis.

"61. The members of the Security Council also intend to maintain regular communication with the Peacebuilding Commission. As appropriate, the members of the Council intend to invite the Chairs of country-specific configurations of the Commission to participate in formal meetings of the Council at which the situation concerning the country in question is considered, or, on a case-by-case basis, for an exchange of views in an informal dialogue.

"62. The members of the Council are encouraged to prepare a monthly assessment of their presidency in a timely manner, which can be utilized by the member of the Council preparing the annual report.

"63. The members of the Council intend to make the best use of all mechanisms available, as appropriate, to convey policy guidance to the Secretary-General, including dialogue, letters from the President, the adoption of resolutions or presidential statements, or any other means deemed appropriate.

"64. The members of the Council, through the Secretary-General, invite new Special Representatives of the Secretary-General to engage in dialogue with members of the Council before assuming their duties under new mandates, including in the field, in order to obtain the views of Council members on the objectives and the mandates.

"65. The members of the Council intend to utilize 'Arria-formula' meetings as a flexible and informal forum for enhancing their deliberations. To that end, members of the Council may invite on an informal basis any Member State, relevant organization or individual to participate in 'Arria-formula' informal meetings. The members of the Council agree to consider using such meetings to enhance their contact with civil society and non-governmental organizations, including local non-governmental organizations suggested by United Nations field offices. The members of the Council encourage the introduction of such measures as lengthening lead times, defining topics that participants might address and permitting their participation by video teleconference.

"XI. Security Council missions

"66. The members of the Security Council underline the value of Security Council missions for understanding and assessing particular conflicts or situations on the agenda of the Council. Council missions should be planned as early as practicable with the members of the Council that will be participating in the mission. Members of the Council will designate a member or members to coordinate a particular mission.

"67. The designated member or members will draft terms of reference for the mission as early as possible in consultation with Council members and the Secretariat. The terms of reference should outline the dates of the mission, its purpose, the proposed agenda and the composition of the mission. The terms of reference should be issued as a document of the Council.

"68. The members of the Council encourage Council missions to continue to avoid restricting their meetings to those with governmental interlocutors and interlocutors of conflict parties and to hold, as appropriate, meetings with local civil society leaders, non-governmental organizations and other interested parties.

"69. Upon the return of the mission, the designated member or members should brief the Council on the mission orally and/or with a written report which should be issued as a document of the Council.

"XII. Annual report

"70. The Security Council will take the necessary action to ensure the timely submission of its report to the General Assembly. For that purpose:

"(*a*) The Council will continue with the existing practice whereby the annual report is submitted to the General Assembly in a single volume. The period of coverage for the reports shall be from 1 August of one year to 31 July of the next;

"(*b*) The Secretariat should continue to submit the draft report to the members of the Council no later than 30 September, immediately following the period covered by the report, so that it may be discussed and thereafter adopted by the Council in time for consideration by the General Assembly during the main part of the regular session of the Assembly.

"71. The report shall contain an introduction, to be prepared in accordance with the following guidelines:

"(*a*) The draft introduction to the report should continue to be prepared under the leadership and responsibility of the President of the Council for the month of July of each calendar year and should continue to be approved by all current members of the Council and the immediate past elected members who served on the Council during the reporting period covered;

"(*b*) While drafting the introduction to the report, the President for the month of July may, when necessary, seek advice from other members of the Council;

"(*c*) The introduction to the report should contain concise information about the nature of all decisions taken by the Council during the period covered, in particular all resolutions and presidential statements;

"(*d*) The member of the Council preparing the introduction is encouraged to consult for reference the monthly assessments described in paragraph 62 above.

"72. The remainder of the report shall be prepared by the Secretariat and shall be approved by all current members of the Council and the immediate past elected members who served on the Council during the reporting period covered, and shall contain the following parts:

"(*a*) Part I shall contain a brief statistical description of the key activities relating to all questions considered by the Council under its responsibility for the maintenance of international peace and security during the period covered by the report, including a list of each of the following, with document symbols, as appropriate:

"(i) All decisions, resolutions, presidential statements and official communiqués adopted by the Council;

"(ii) Meetings of the Council, including meetings with troop- and police-contributing countries;

"(iii) Meetings of subsidiary bodies, including counter-terrorism committees, sanctions committees and working groups;

"(iv) Reports of panels and monitoring mechanisms;

"(v) Reports of Council missions undertaken;

"(vi) Peacekeeping operations established, functioning or terminated;

"(vii) Assistance missions and offices established, functioning or terminated;

"(viii) Reports of the Secretary-General submitted to the Council;

"(ix) References to the summary statements by the Secretary-General on matters of which the Council was seized for the period covered by the report;

"(x) Notes by the President of the Council and other documents issued by the Council for the further improvement of the work of the Council;

"(xi) Assessment reports issued by the individual monthly presidencies of the Council on its work;

"(*b*) Part II shall contain information relating to each question considered by the Council during the reporting period, in at least one formal meeting, under its responsibility for the maintenance of international peace and security:

"(i) Factual data on the number of meetings and informal consultations;

"(ii) A notice of all decisions, resolutions and presidential statements, and draft resolutions considered by the Council at its meetings but not adopted;

"(iii) A list of the peacekeeping operations and assistance missions and offices established, functioning or terminated, as appropriate;

"(iv) A list of the relevant panels and monitoring mechanisms and their reports, as appropriate;

"(v) A list of the reports of the Secretary-General submitted to the Council;

"(vi) A list of the Council missions undertaken and their reports, as appropriate;

"(vii) All communications issued by the Council or transmitted to the Council in connection with each agenda item considered;

"(*c*) Part III shall contain an account of the other matters considered by the Council;

"(*d*) Part IV shall contain an account of the work of the Military Staff Committee;

"(*e*) Part V shall cover matters that were brought to the attention of the Council but not discussed at the meetings of the Council during the reporting period;

"(*f*) The members of the Council acknowledge that the work of the subsidiary bodies of the Council is an inseparable part of the work of the Council. Part VI of the report shall therefore contain concise information about the work of subsidiary bodies of the Council, including counter-terrorism committees, sanctions committees, working groups and international tribunals established by the Council, as appropriate.

"73. The Secretariat should post the current annual report of the Council on the United Nations website. The relevant web page should be updated to provide the information as necessitated under future notes issued by the President of the Council with respect to the annual report.

"74. The report will continue to be adopted at a public meeting of the Council where members of the Council who wish to do so may comment on the work of the Council for the period covered by the report. The President of the Council for the month in which the report is submitted to the General Assembly will also make reference to the verbatim record of the Council's discussion prior to its adoption of the annual report.

"75. If appropriate, the President of the Council will continue the practice of not scheduling meetings or informal consultations of the Council on the first day of the debate on the report in the General Assembly.

"XIII. Newly elected members

"76. The Security Council invites the newly elected members of the Council to attend all meetings of the Council and its subsidiary bodies and the informal consultations of the whole for a period of six weeks immediately preceding their term of membership or as soon as they have been elected, if the election is held less than six weeks prior to the beginning of their terms. The Council also invites the Secretariat to provide all relevant communications of the Council to the newly elected members during the above-mentioned period.

"77. The members of the Council also agree that, if an incoming member will be assuming the presidency of the Council in the first two months of its term on the Council, it will be invited to attend the informal consultations of the whole for the period of two months immediately preceding its term of membership (that is, with effect from 1 November).

"78. The Council invites the Secretariat to continue to take appropriate measures to familiarize the newly elected members with the work of the Council and its subsidiary bodies, including by providing briefing materials and holding seminars before they begin to attend Council meetings."

CONSIDERATION OF THE DRAFT REPORT OF THE SECURITY COUNCIL TO THE GENERAL ASSEMBLY

Decision

At its 6210th meeting, on 29 October 2009, the Security Council considered the item entitled "Consideration of the draft report of the Security Council to the General Assembly".

The decision of the Council was reflected in the following note by the President:[471]

"At its 6210th meeting, held on 29 October 2009, the Security Council considered its draft report to the General Assembly covering the period from 1 August 2008 to 31 July 2009. The Council adopted the draft report without a vote."

INTERNATIONAL COURT OF JUSTICE[472]

A. Date of election to fill a vacancy in the International Court of Justice

Decision

At its 6285th meeting, on 18 March 2010, the Security Council considered the item entitled "Date of election to fill a vacancy in the International Court of Justice (S/2010/136)".

Resolution 1914 (2010)
of 18 March 2010

The Security Council,

Noting with regret the resignation of Judge Shi Jiuyong, taking effect on 28 May 2010,

Noting that a vacancy in the International Court of Justice for the remainder of the term of office of Judge Shi will thus occur and must be filled in accordance with the terms of the Statute of the Court,

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[471] S/2009/559.

[472] Resolutions or decisions on this question were first adopted by the Security Council in 1946.

Noting also that, in accordance with Article 14 of the Statute, the date of the election to fill the vacancy shall be fixed by the Security Council,

Decides that the election to fill the vacancy shall take place on 29 June 2010 at a meeting of the Security Council and at a meeting of the General Assembly at its sixty-fourth session.

Adopted without a vote at the 6285th meeting.

Decision

At its 6327th meeting, on 2 June 2010, the Security Council considered the item entitled "Date of election to fill a vacancy in the International Court of Justice (S/2010/255)".

Resolution 1926 (2010)
of 2 June 2010

The Security Council,

Noting with regret the resignation of Judge Thomas Buergenthal, taking effect on 6 September 2010,

Noting that a vacancy in the International Court of Justice for the remainder of the term of office of Judge Buergenthal will thus occur and must be filled in accordance with the terms of the Statute of the Court,

Noting also that, in accordance with Article 14 of the Statute, the date of the election to fill the vacancy shall be fixed by the Security Council,

Decides that the election to fill the vacancy shall take place on 9 September 2010 at a meeting of the Security Council and at a meeting of the General Assembly at its sixty-fourth session.

Adopted without a vote at the 6327th meeting.

B. Election of a member of the International Court of Justice

Decision

On 29 June 2010, the Security Council, at its 6346th meeting, and the General Assembly, at the 102nd plenary meeting of its sixty-fourth session, elected Ms. Xue Hanqin, of China, to the International Court of Justice to fill a vacancy created by the resignation of Judge Shi Jiuyong, of China, former Vice-President and President of the Court.

Items included in the agenda of the Security Council for the first time between 1 August 2009 and 31 July 2010

NOTE: The practice of the Security Council is to adopt at each meeting, on the basis of the provisional agenda circulated in advance, the agenda for that particular meeting; the agenda as adopted for each meeting held during the period from 1 August 2009 to 31 July 2010 will be found in the records of the 6176th to 6366th meetings (S/PV. 6176–6366).

The following list of items shows also the meetings at which the Council decided, during that period, to include in the agenda items that had not been inscribed previously.

Item	*Meeting*	*Date*
Letter dated 22 September 2009 from the Permanent Representative of Brazil to the United Nations addressed to the President of the Security Council	6192nd	25 September 2009
Letter dated 4 June 2010 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council and other relevant letters	6355th	9 July 2010

Checklist of resolutions adopted by the Security Council from 1 August 2009 to 31 July 2010

Resolution number	*Date of adoption*	*Subject*	*Page*
1882 (2009)	4 August 2009	Children and armed conflict	128
1883 (2009)	7 August 2009	The situation concerning Iraq	218
1884 (2009)	27 August 2009	The situation in the Middle East	5
1885 (2009)	15 September 2009	The situation in Liberia	29
1886 (2009)	15 September 2009	The situation in Sierra Leone	101
1887 (2009)	24 September 2009	Maintenance of international peace and security: nuclear non-proliferation and nuclear disarmament	253
1888 (2009)	30 September 2009	Women and peace and security	147
1889 (2009)	5 October 2009	Women and peace and security	153
1890 (2009)	8 October 2009	The situation in Afghanistan	85
1891 (2009)	13 October 2009	Reports of the Secretary-General on the Sudan	201
1892 (2009)	13 October 2009	The question concerning Haiti	71
1893 (2009)	29 October 2009	The situation in Côte d'Ivoire	178
1894 (2009)	11 November 2009	Protection of civilians in armed conflict	140
1895 (2009)	18 November 2009	The situation in Bosnia and Herzegovina	52
1896 (2009)	30 November 2009	The situation concerning the Democratic Republic of the Congo	105
1897 (2009)	30 November 2009	The situation in Somalia	37
1898 (2009)	14 December 2009	The situation in Cyprus	10
1899 (2009)	16 December 2009	The situation in the Middle East	8
1900 (2009)	16 December 2009	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991	60
1901 (2009)	16 December 2009	International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994	65
1902 (2009)	17 December 2009	The situation in Burundi	81
1903 (2009)	17 December 2009	The situation in Liberia	32
1904 (2009)	17 December 2009	Threats to international peace and security caused by terrorist acts	165
1905 (2009)	21 December 2009	The situation concerning Iraq	222
1906 (2009)	23 December 2009	The situation concerning the Democratic Republic of the Congo	109
1907 (2009)	23 December 2009	Peace and security in Africa	270
1908 (2010)	19 January 2010	The question concerning Haiti	76

Resolution number	Date of adoption	Subject	Page
1909 (2010)	21 January 2010	Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council	248
1910 (2010)	28 January 2010	The situation in Somalia	42
1911 (2010)	28 January 2010	The situation in Côte d'Ivoire	183
1912 (2010)	26 February 2010	The situation in Timor-Leste	19
1913 (2010)	12 March 2010	The situation in Chad, the Central African Republic and the subregion	260
1914 (2010)	18 March 2010	Date of election to fill a vacancy in the International Court of Justice	296
1915 (2010)	18 March 2010	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991	61
1916 (2010)	19 March 2010	The situation in Somalia	46
1917 (2010)	22 March 2010	The situation in Afghanistan	90
1918 (2010)	27 April 2010	The situation in Somalia	50
1919 (2010)	29 April 2010	Reports of the Secretary-General on the Sudan	204
1920 (2010)	30 April 2010	The situation concerning Western Sahara	16
1921 (2010)	12 May 2010	Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council	250
1922 (2010)	12 May 2010	The situation in Chad, the Central African Republic and the subregion	261
1923 (2010)	25 May 2010	The situation in Chad, the Central African Republic and the subregion	262
1924 (2010)	27 May 2010	The situation in Côte d'Ivoire	187
1925 (2010)	28 May 2010	The situation concerning the Democratic Republic of the Congo	119
1926 (2010)	2 June 2010	Date of election to fill a vacancy in the International Court of Justice	297
1927 (2010)	4 June 2010	The question concerning Haiti	78
1928 (2010)	7 June 2010	Non-proliferation/Democratic People's Republic of Korea	246
1929 (2010)	9 June 2010	Non-proliferation	228
1930 (2010)	15 June 2010	The situation in Cyprus	13
1931 (2010)	29 June 2010	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991	62
1932 (2010)	29 June 2010	International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994	66
1933 (2010)	30 June 2010	The situation in Côte d'Ivoire	188
1934 (2010)	30 June 2010	The situation in the Middle East	9
1935 (2010)	30 July 2010	Reports of the Secretary-General on the Sudan	210

Checklist of statements made by the President of the Security Council from 1 August 2009 to 31 July 2010

Date of statement	*Subject*	*Page*
5 August 2009	United Nations peacekeeping operations (S/PRST/2009/24)	23
29 September 2009	The situation in Côte d'Ivoire (S/PRST/2009/25)	177
26 October 2009	Peace and security in Africa (S/PRST/2009/26)	268
28 October 2009	Peace consolidation in West Africa (S/PRST/2009/27)	243
29 October 2009	The situation in Afghanistan (S/PRST/2009/28)	88
5 November 2009	The situation in Guinea-Bissau (S/PRST/2009/29)	136
16 November 2009	The situation concerning Iraq (S/PRST/2009/30)	221
3 December 2009	The situation in Somalia (S/PRST/2009/31)	41
8 December 2009	Peace and security in Africa (S/PRST/2009/32)	275
8 December 2009	The situation in Côte d'Ivoire (S/PRST/2009/33)	182
16 December 2009	The situation in the Middle East (S/PRST/2009/34)	8
21 December 2009	The situation in the Central African Republic (S/PRST/2009/35)	126
13 January 2010	Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security (S/PRST/2010/1)	277
12 February 2010	United Nations peacekeeping operations: transition and exit strategies (S/PRST/2010/2)	26
16 February 2010	Peace consolidation in West Africa (S/PRST/2010/3)	244
24 February 2010	Threats to international peace and security (S/PRST/2010/4)	226
26 February 2010	The situation concerning Iraq (S/PRST/2010/5)	224
19 March 2010	Central African region (S/PRST/2010/6)	198
16 April 2010	Post-conflict peacebuilding (S/PRST/2010/7)	216
27 April 2010	Women and peace and security (S/PRST/2010/8)	158
1 June 2010	The situation in the Middle East, including the Palestinian question (S/PRST/2010/9)	4
16 June 2010	Children and armed conflict (S/PRST/2010/10)	132
29 June 2010	The promotion and strengthening of the rule of law in the maintenance of international peace and security (S/PRST/2010/11)	196
30 June 2010	The situation in the Middle East (S/PRST/2010/12)	9
9 July 2010	Letter dated 4 June 2010 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the President of the Security Council and other relevant letters (S/PRST/2010/13)	280
16 July 2010	Maintenance of international peace and security: optimizing the use of preventive diplomacy tools - prospects and challenges in Africa (S/PRST/2010/14)	258
22 July 2010	The situation in Guinea-Bissau (S/PRST/2010/15)	138

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